WEDNESDAY, 4 JUNE 2003

Mr SPEAKER (Hon. R. K. Hollis, Redcliffe) read prayers and took the chair at 9.30 a.m.

ASSENT TO BILLS

3 June 2003

The Honourable R. K. Hollis, MP
Speaker of the Legislative Assembly
Parliament House
George Street
BRISBANE QLD 4000

Dear Mr Speaker

I hereby acquaint the Legislative Assembly that the following Bills, having been passed by the Legislative Assembly and having been presented for the Royal Assent, were assented to in the name of Her Majesty The Queen on 2 June 2003:

"A Bill for an Act to amend the Weapons Act 1990, and for other purposes"

"A Bill for an Act to amend the Residential Tenancies Act 1994 and other Acts"

"A Bill for an Act to amend the Valuation of Land Act 1944"

"A Bill for an Act about applications under the Integrated Planning Act 1997 and the Land Act 1994 for the clearing of trees and other vegetation".

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

Yours sincerely

(sgd)

Governor

LEADER OF THE OPPOSITION; ALLEGED MISLEADING OF HOUSE

Mr SPEAKER: Order! I wish to report to the House on my consideration of the Minister for Police and Corrective Services' matter of privilege raised on 29 May 2003 in relation to a question without notice by the Leader of the Opposition. In essence, in his question the Leader of the Opposition suggested that the minister had involved himself in a police investigation and sought to have assault charges dropped. He appears to have based this suggestion upon two paragraphs of a statutory declaration which he tabled at the time. However, upon reviewing that document in full, it is clear that the contents of the statutory declaration suggests, second hand, that an unnamed 'minister' had become involved to pursue the charges, not have them dropped.

Having conducted this full review of the minister's matter of privilege and based upon the evidence before me, I have concluded that the Leader of the Opposition did not deliberately mislead the House. I will therefore not be referring the matter to the Members' Ethics and Parliamentary Privileges Committee. It is clear, however, that the Leader of the Opposition either inadvertently or recklessly misled the House with his question.

In light of this, I note the MEPPC report No. 52, which highlighted a previous MEPPC commented in 1999 on the duty of members to 'ensure that information provided is correct, particularly where it is intended to use that information to make statements that reflect on someone's character'. That committee stated that members 'have a personal responsibility to take reasonable measures to ensure the information they provide to the House is accurate'.

Consequently, while not referring this matter to the committee, I would like to see the Leader of the Opposition correct the record over and above the minister's matter of privilege of 29 May 2003.

Mr McGRADY: Mr Speaker, I thank you for that ruling. Naturally, I am more than happy to accept it. I do notice that the last point you made is that you call upon the Leader of the Opposition to clarify his position. I would be grateful if he would do this because this is twice in as many sitting weeks that I have had to cop allegations or insinuations that I have done the wrong thing. I did not do the wrong thing on the first occasion. The CMC made that perfectly clear. I certainly did not do the wrong thing on this occasion, and yet these people—these so-called leaders of clean politics in this state—come into this House on regular occasions and make these

insinuations. If this is what new politics is about in this state, I hope that these people stay on that side of the chamber for many, many years to come.

Mr SPRINGBORG: Mr Speaker, I am happy to abide by your ruling, as I have always done with regards to any Speaker in this parliament, but I just ask: would you like me to reflect upon your ruling this morning with regards to a formal statement or to make a—

Mr SPEAKER: If you wish to do that, I am quite happy with that.

PETITIONS

The following honourable members have lodged paper petitions for presentation—

Eagle Junction Railway Station

Mr Quinn from 22 petitioners requesting the House to investigate the construction of a multi deck car park at Eagle Junction Railway station to provide sufficient on site parking for commuters who use Eagle Junction Station as a Park 'N Ride railway station.

Access to St Paul's School

Ms Barry from 325 petitioners requesting the House to consider an alternative access to St Paul's school other than through the residential streets of Bald Hills as proposed in the school's new Master Plan.

Ambulance Levy

Mr Rowell from 257 petitioners requesting the House to review the collection of community ambulance cover through State owned electricity corporation billing systems as there is a range of inequities appearing with the collection system and to ensure the ambulance service is funded in a fair and equitable manner.

PAPERS

MINISTERIAL PAPERS TABLED BY THE CLERK

The following ministerial papers were tabled by The Clerk—

Minister for Education (Ms Bligh)

- Response from the Minister for Education (Ms Bligh) to a paper petition presented by Mr Lucas from 112 petitioners regarding certain Administration Officers at Wynnum State High School—

Mr Neil Laurie
The Clerk of the Parliament
Parliament House
George Street
BRISBANE QLD 4000

Dear Mr Laurie

I refer to the petition lodged on 3 April 2003 with the Queensland Legislative Assembly by the Honourable Paul Lucas MP, Minister for Innovation and Economy and Member for Lytton concerning the retention of Mrs Georgette Rowan and Mrs Elizabeth Grist as Administration Officers at Wynnum State High School.

I am advised that in early 2003, the school decided that two positions of Administration Officer should be filled permanently. The positions were one (1.0) full time and one (0.6) permanent part-time Administration Officer.

Education Queensland must comply with legislative provisions when filling vacancies. In the first instance when filling a vacancy, the Department must consider those officers who are deployees (a deployee is an employee of the Department who no longer has a substantive position either through restructure or loss of school entitlement due to decrease in enrolment). For each position, there was a suitable deployee who met the criteria for the vacancy and was subsequently appointed.

I understand that Mrs Rowan relieved in the (0.6) Administration Officer position for the period 28 January 2002 to 14 December 2002 and again this year from 20 January to 2 June. I acknowledge that Mrs Rowan's fortnightly roster will decrease from 43.50 hours (72.5hrs per fortnight x 0.6) to 29 hours (72.5hrs per fortnight x 0.4) when she returns to her substantive (0.4) position. However, I would like to clarify that Mrs Rowan will not lose her permanent hours of 0.4 full time equivalent (FTE) Administration Officer (Administrative Assistance Enhancement Program) and may have the opportunity in the future to increase her employment fraction. This will depend on future school enrolments.

Mrs Grist, a casual teacher aide, has relieved in the (1.0) temporary Administration Officer position for the following periods: 9 November 1999 to 1 March 2000; 20 March 2000 to 15 December 2000; 23 January 2001 to 12 April 2001; and from 24 April 2001 until 27 June 2003. These temporary engagements always had end dates and were reviewed at the end of each engagement.

I understand that Mrs Grist has since resigned from Education Queensland as at 11 June 2003, and has secured a permanent position elsewhere. This is unfortunate as she was to be converted to a permanent part-time teacher aide position. Mrs Rowan has taken leave until December 2003.

I believe the Department has followed the legislative provisions and all policies and procedures in filing these vacancies. We value the skills the employees who will take up these positions bring to the school and look forward to their continued involvement with Wynnum State High School, along with that of Mrs Rowan.

Please feel free to contact Mr Richard Pegg, Principal Personnel Officer, Bayside District Office on telephone (07) 3245 0205, should you require any further information in regarding this matter.

Yours sincerely

Anna Bligh MP

Minister for Education

Minister for Health and Minister Assisting the Premier on Women's Policy (Mrs Edmond)

- Response from the Minister for Health and Minister Assisting the Premier on Women's Policy (Mrs Edmond) to a paper petition presented by Mr Pitt from 350 petitioners regarding the Innisfail Child Health Service—

Mr N Laurie
Clerk of the Parliament
Parliament House
George Street
BRISBANE Q 4000

Dear Mr Laurie

Thank you for your letter dated 1 May 2003, enclosing a petition on behalf of residents of the Johnstone Shire, regarding the relocation of the Innisfail Child Health Service to the hospital campus.

I am advised by the Acting District Manager, Innisfail Health Service District that relocation of the Child Health Service to the hospital campus will not affect the services currently provided to families and their children. Please be assured the same services will continue to be provided by dedicated and specialised staff. In addition, public bus transport services to the hospital includes daily services Monday to Friday to Rankin Street and Fitzgerald Esplanade. This bus service encompasses a set timetable which allows a drop-off or pick-up service from any point along these routes.

Queensland Health has been very receptive to input from the Child and Family User Reference Group and has made many changes to accommodate suggestions and requests to ensure the best outcome. One such change has been to ensure that a separate reception and clinical area is maintained away from other services in the same building thus ensuring privacy. The child health reception counter will not be shared with other Community Health clients who access mental health services or the needle exchange program.

Enhancements to the design of the Child Health Clinic, as suggested by the User Reference Group, includes additional level under cover parking provision and separate rear access to the Child Health Clinic.

In addition to the needs of the mothers, families and children that use the Child Health Service, the needs of the clinic staff have also been paramount. Having only one practitioner in the facility at any given time, due to service provision or home visits, has meant that staff safety and security issues are of critical concern. Relocating to the hospital campus will provide a safer environment for staff, while also providing improved service integration for all women's and children's health services.

The full audit regarding the proposal to relocate the services has been made available to the User Reference Group and the process has been open and consultative. The Innisfail Health Service District will continue to welcome input from the User Reference Group and all concerned community members.

Thank you for bringing this matter to my attention and I trust this information is of assistance.

Yours sincerely

Wendy Edmond MP

Minister for Health and Minister Assisting the Premier on Women's Policy

Minister for Transport and Minister for Main Roads (Mr Bredhauer)

- Response from the Minister for Transport and Minister for Main Roads (Mr Bredhauer) to a paper petition presented by Mr Wilson from 154 petitioners regarding bus services in the Arana Hills area—

07 MAY 2003

Mr Geoff Wilson MP
Member for Ferny Grove
PO Box 114
Arana Hills Qld 5054

Dear Mr Wilson

I refer to a petition you lodged with the Clerk of the Parliament about bus services in the Arana Hills area.

Queensland Transport recognises the need to provide effective public transport solutions to people within the city of Brisbane, and indeed, south-east Queensland. The Queensland government has

established Translink, a new division within the department, to work with all operators within south-east Queensland, to deliver a more effective public transport network.

Translink is currently working with operators on how public transport services will be delivered under an integrated ticketing system. The concerns about bus services in the Arana Hills' area have been noted by Translink. Negotiations are underway with operators, including Brisbane City Council, on future arrangements for the delivery of services.

If you require further assistance, please contact Mr Bruce Jackson, Manager (Public Transport), Northern Zone, South East Region on (07) 5477 8400.

Yours sincerely

(sgd)

Steve Bredhauer

Minister for Transport and Minister for Main Roads
Member for Cook

- Response from the Minister for Transport and Minister for Main Roads (Mr Bredhauer) to a paper petition presented by Mr Reynolds from 74 petitioners regarding bus services to various parts of Townsville on weekends—

  08 OCT 2002

  Honourable Mike Reynolds MP
  Member for Townsville
  Minister for Emergency Services and Minister Assisting the Premier in North Queensland
  PO Box 1148
  Townsville Qld 4810

  Dear Mr Reynolds

  I refer to your letter dated 11 September 2002 concerning the petition you received about the current scheduled Sunbus bus services. In particular, the lack of bus services to various parts of Townsville on weekends.

  Mr Geoff Robins, Queensland Transport's Manager (Public Transport) Northern met with Sunbus management and discussed the contents of the petition.

  During the meeting evidence was tabled from Sunbus' records indicating a dramatic decline in patronage on Saturday services compared to weekday services to some of the areas identified in the petition. This information suggests that Sunday services would not be viable as there are less attractors available to the public on Sundays than on Saturdays and weekdays.

  I am advised that Sunbus are considering some additional services to various locations in Townsville during the next twelve months. Some of these additional services will benefit residents in some of the areas identified in the petition.

  I have asked for Mr Robins to contact you to discuss the proposed changes to the Sunbus services in greater detail.

  If you require more information please phone Mr Robins, on 4040 6397.

  Yours sincerely

  (sgd)

  Steve Bredhauer

  Minister for Transport and Minister for Main Roads
  Member for Cook

- Response from the Minister for Transport and Minister for Main Roads (Mr Bredhauer) to a paper petition presented by Mr Fouras from 19 petitioners regarding red light cameras at the intersection of Days Road and Lanham Street, Grange—

  09 DEC 2002

  Honourable Jim Fouras MP
  Chairman of Committees
  Member for Ashgrove
  Ashgrove Central
  221 Waterworks Road
  Ashgrove Qld 4060

  Dear Mr Fouras

  Thank you for the petition you presented on behalf of your constituent Mr Gregory Wilson to Mr Neil Laurie, the Acting Clerk of the Parliament on 29 October 2002, about a request for installation of red light cameras at the intersection of Days Rd and Lanham St, Grange. As this is a matter that falls within my portfolio, Mr Laurie has forwarded the petition to me for my consideration and reply.

  Queensland Transport, the Department of Main Roads and the Queensland Police Service are constantly striving to achieve a safer environment for all road users. This is a joint venture that combines engineering, education and enforcement initiatives to reduce crashes and save lives. Your constituent may be interested to know that red light camera sites are selected on the basis of a combination of criteria, including crash history, physical constraints and geographic distribution of locations.

Queensland Transport conducts regular analyses of crashes occurring at intersections in Queensland. Crashes caused by drivers disobeying red lights are flagged in the system. Intersections with these types of crashes are listed in rank order and the top ranking sites that have not been previously treated for red light cameras are forwarded to the Queensland Police Service for consideration and on-site inspection.

I understand that an evaluation of the intersection at Days Rd and Lanham St, Grange, shows that this intersection is not currently listed in the top 200 list for red light camera candidate sites based on crash history. However, the Queensland Police Service has the ability to recommend red light camera locations based on red light running. Intersections are investigated after public complaints are received and entered into the police complaints database. Community members can contact their local police station to log a complaint onto the database and your constituent may care to follow this course of action. It should be noted however, that intersections carrying the highest risk will be treated first.

I hope this response satisfactorily addresses the issues raised by your constituent. If you need more information, please call Ms Michelle Kelleher, Land Transport and Safety Division on 3253 4391, who will be happy to help you.

Yours sincerely

(sgd)

Steve Bredhauer

Minister for Transport and Minister for Main Roads
Member for Cook

MINISTERIAL STATEMENT

Governor of Queensland

Hon. P. D. BEATTIE (Brisbane Central—ALP) (Premier and Minister for Trade) (9.36 a.m.): I wish to inform the House that Quentin Bryce will be sworn in as the 24th Governor of Queensland on 29 July 2003. The swearing-in ceremony will take place here at Parliament House on the Speaker's Green. All members and their spouses or partners will be invited to the swearing-in ceremony.

Ms Bryce's appointment was approved by Her Majesty Queen Elizabeth II on 4 March 2003 and announced on 10 March 2003 when the public seal of the state was affixed to Her Majesty's commission by the Governor-in-Council.

Ms Bryce has a long and distinguished record of advocacy for human rights and, in particular, the rights of women and children. She was one of the first women to be admitted to the Queensland bar and the first woman appointed to the Faculty of Law at the University of Queensland. When she was awarded an honorary doctorate of letters by Charles Sturt University last year, the citation referred to 'her outstanding leadership in Australian society'. I seek leave to have more details on her achievements incorporated into the record of the parliament.

Leave granted.

Ms Bryce was a founder of the National Women's Advisory Council; the Founding Director of the Women's Information Services; the Founding Chair and CEO of the National Childcare Accreditation Council; and the first chair of the Board of Management for the Diploma of Policing Practice.

Ms Bryce has also been a member of—or led—more than 20 organisations as diverse as the Association for the Welfare of Children in Hospital, the Australian Women's Cricket Board, the National Breast Cancer Centre Network, the Children's Television Foundation, Plan International, YWCA, Mindease Mental Health Foundation, and the National Institute for Law Ethics and Public Affairs Advisory Board.

I believe that she will be able to build even further on the work of His Excellency, Major-General Peter Arnison who has made the role of Governor meaningful and relevant to all Queenslanders.

Major General Peter Arnison, will retire as Governor on 29th July 2003.

Major General Arnison has carried out his duties over the past six years with great distinction, bringing a great deal of humanity and compassion to the high office of Governor.

Major General Arnison has been a worthy representative of Her Majesty.

On behalf of the Government, all Honourable Members and all Queenslanders I want to thank Major General and Barbara Arnison for their service and wish them a long, healthy and happy future.

MINISTERIAL STATEMENT

Severe Acute Respiratory Syndrome

Hon. P. D. BEATTIE (Brisbane Central—ALP) (Premier and Minister for Trade) (9.37 a.m.): As the Primary Industries Minister Henry Palaszczuk informed the House yesterday, a Department of Primary Industries' scientist, Dr Hume Field, last month joined the global quest to unravel the

origins of Severe Acute Respiratory Syndrome, or SARS. Today I advise the House that the Smart State is taking another role in the international effort to counter SARS.

Scientists at one of the world's most sophisticated laboratories here in Brisbane will work with Victorian based experts from the CSIRO, with the aim of developing a speedy diagnostic test for SARS. Such a test would overcome the many problems associated with the current test, which is essentially a process of elimination of all other possible illnesses. It can take weeks to conclusively diagnose a patient with SARS-like symptoms, and this only adds to the challenge of managing this disease.

In a nutshell, if the world had a speedy diagnostic test for SARS, patients could receive more appropriate treatment and the spread of the disease could be better controlled. The Queensland scientists involved in this research will be working at the cutting edge and under the strictest biosecurity conditions. The facility has specialised airlocks, airconditioning and water treatment processes. Everyone must shower as they enter the facility and also as they leave. In fact, entry and exit are physically impossible unless a shower has been turned on and off. For security reasons, I will not disclose the location of the facility, but rest assured the Commonwealth only permitted testing in this Queensland facility because it met the highest standards of safety and biosecurity.

The scientists involved in this endeavour are among the Smart State's finest. They rank among researchers who have been involved in breakthroughs, such as development of the world's first vaccine for cervical cancer; discovery of a link between low levels of vitamin D and the development of schizophrenia; and research using nasal cells to regenerate damaged spines.

Queensland's record of achievement in science and research makes us a logical location for research which could ease the human suffering and economic damage caused by SARS. Queensland has declared SARS a notifiable infectious disease, enhancing our ability to control the disease. The Health Minister, Wendy Edmond, will have more to say in a ministerial statement later this morning.

MINISTERIAL STATEMENT

Breaking the Unemployment Cycle

Hon. P. D. BEATTIE (Brisbane Central—ALP) (Premier and Minister for Trade) (9.40 a.m.): Creating thousands of jobs for Queenslanders was one of the government's earliest commitments after we were elected nearly five years ago. When our Breaking the Unemployment Cycle initiative kicked off in October 1998 we set ourselves the target of creating 24,500 jobs in four years. We overshot the target, ahead of schedule, and then lifted our sights to 56,000 jobs over six years. We committed to investing $470 million to make Queensland a jobs factory.

Today I am delighted to report to the House that we have hit the job creation bullseye—56,000 jobs in fewer than five years. Our six-year target in fewer than five years! The Minister for Employment and Training, Matt Foley, will expand on this in a statement in a few minutes. We will not let it rest. We have the nation's highest employment growth rate. This is fantastic news, but it could be even better. Jobs, jobs, jobs is still a government mantra, and I for one will keep chanting it for as long as I am Premier. I am happy to report to the House that we have the lowest level of unemployment in 13 years.

Mr Seeney: The highest in Australia.

Mr BEATTIE: I am happy to compare our record of seven per cent to 9.5 per cent under the coalition. Their level of a 9.5 per cent unemployment rate equates to their support in the community.

MINISTERIAL STATEMENT

Australian Football League

Hon. P. D. BEATTIE (Brisbane Central—ALP) (Premier and Minister for Trade) (9.42 a.m.): I want to again restate that the Australian Football League must show a mature position in relation to their finals series. Non-Victorian clubs, like our Brisbane Lions, should be allowed to host finals provided their position on the ladder warrants it. Last year I was criticised for calling for this. Now I have been joined by my New South Wales, South Australian and Western Australian colleagues. Presently, the top six positions on the AFL ladder are held by non-Victorian teams. If that continues to the finals format, that deserves recognition. All we want is equity.

Under the current contract between the AFL and the Melbourne Cricket Club, one match a week of the four-week finals series must be staged at the MCG, regardless of ladder position. Six finals must be played at the MCG over any three-year period in the first two weeks of the finals series. Whichever way you look at it, the system is biased against non-Victorian teams. That is not fair. AFL has made huge inroads in claiming the title as being a truly national code. That would be enhanced if the finals program reflected the ladder.

Members can imagine how ridiculous this would be if one of the finals between two non-Victorian teams had to be played in Melbourne. The way the series is panning out at the moment, that is very likely. If the AFL really wants to be a truly national code they have to move the finals—not the grand final, because I understand the issue about that, but the finals. Today I have written to Wayne Jackson, the Australian Football League chief executive officer, asking him to do just that. I table that letter for the information of the House.

MINISTERIAL STATEMENT

Port Authorities, Counter-Terrorism Measures

Hon. P. D. BEATTIE (Brisbane Central—ALP) (Premier and Minister for Trade) (9.46 a.m.): Queensland's ports security preparedness and associated issues have been central in Commonwealth-state briefings in Townsville and Brisbane this week. The Queensland Department of the Premier and Cabinet, the Queensland Police Service and Queensland Transport are this week involved in a series of security related briefings for our port authorities and associated organisations. The briefings began in Townsville on Monday and resumed in Brisbane yesterday and form part of a series of national briefings being run by the Commonwealth Department of Transport and Regional Services.

Our staff have played a significant role in coordination of the briefings, and are presenting vital security related information and guidelines. Queensland Transport, as part of its ongoing role in coordinating Queensland port authorities, has worked closely with the Commonwealth to facilitate the Queensland briefings and has ongoing liaison with the port operators. The state set up two units last year to coordinate security and counter-terrorism issues. Security Planning and Coordination is in my own department and the QPS has the Counter Terrorism Coordination Unit. They are assisting the port authorities in reviewing and auditing security arrangements in the new counter-terrorism environment.

As I have stressed before, international terrorism activities in recent years have demanded that we need to review security arrangements and the state needs to plan for any possibility. In this heightened security environment, the state government has put in place a strategy to ensure that we are well prepared and equipped to respond. A key part of our strategy has been to review the security and protection of all critical infrastructure which is so vital to the state's wellbeing and economic future. Our ports have been considered as part of that critical infrastructure review process. This week's briefings are vitally important to the port operators, their staff and indeed Queenslanders as a whole.

The Queensland government information sessions are being delivered by staff from Security Planning and Coordination and the Counter Terrorism Coordination Unit. They cover the important, relevant, practical issues, such as: outlining counter-terrorism arrangements in Queensland; outlining recommendations for critical infrastructure owners and operators relating to risk, security and business continuity planning in the terrorism context; providing a concise summary of the terrorism threat as it relates to critical infrastructure in Queensland; and enabling identification and discussion of industry related issues.

This week's briefings will be followed later this month by a series of eight security related information sessions coordinated by the state government for critical infrastructure owners and operators in other industry sectors. We recognise that the issue of increased security is one that the majority of critical infrastructure owners have been working on. The state government will continue to provide leadership and coordination across all levels of government and the private sector to build on existing systems and procedures to protect our critical infrastructure. From our point of view, the welfare and safety of Queenslanders is paramount. The government is committed to working in partnership with the owners of critical infrastructure to optimise Queensland's capability in this environment of heightened security. At the end of the day, that benefits the whole state.

MINISTERIAL STATEMENT

Freedom of Information

Hon. P. D. BEATTIE (Brisbane Central—ALP) (Premier and Minister for Trade) (9.48 a.m.): More than 90 per cent of nearly a million state government documents searched for under freedom of information legislation in the 2001-02 year were released in full or in part. When members consider the number of personal and sensitive files held in areas such as Health, Education, Corrective Services and Police, I believe that this gives us a high distinction in our performance. According to the annual report tabled last week, 86 per cent of applicants received their information in full. Six per cent of applicants had some information withheld and only eight per cent were refused access. There were a total of 10,997 applications, of which 5,436 were personal—and therefore free of charge—and 5,561 were non-personal, with an application fee of $32.50.

There were 439 more applicants than the previous year. Under our appeal process, 275 applicants appealed for an external review of decisions. As an example of the number of applications that were granted, I examined the results from some major portfolios, especially those which have a major effect on people's lives. Access given in full or part was as follows—

Corrective Services	96%
Crime and Misconduct Commission	94%
Education	98%
Environmental Protection Agency	95%
Health	79%
Justice and Attorney-General	79%
Police	85%
Premier and Cabinet	86%

The Department of the Premier and Cabinet received only six personal applications, 14 per cent, but 37 non-personal. In contrast, Corrective Services received 912 personal applications, 93 per cent, and only 72 non-personal. I draw the attention of journalists and anyone else interested to the fact that, despite the highly sensitive nature of some documents in my portfolio and the fact that many documents are prepared specifically for cabinet, only three applicants were refused access to documents held by the Department of the Premier and Cabinet. Despite media accusations that charges are too high, the Department of the Premier and Cabinet received only $2,451.90 in FOI charges for the entire year. I think people would understand that for the departments of Health, Justice and Attorney-General there were a number of personal applications and the sensitivity of the issues in relation to them.

MINISTERIAL STATEMENT

Breaking the Unemployment Cycle

Hon. M. J. FOLEY (Yeerongpilly—ALP) (Minister for Employment, Training and Youth and Minister for the Arts) (9.49 a.m.): Last week I informed the House that the Queensland government's flagship jobs program, Breaking the Unemployment Cycle, was approaching its target of creating 56,000 jobs within six years. Today I can inform the House that that target has been reached. In fact, the 56,000th job was created yesterday as the Treasurer announced a record budget for the Department of Employment and Training. This underlines the Queensland government's commitment to helping battlers find jobs. With the help of enthusiastic local communities across the state—employers, local councils and government agencies—we have done it more than a year ahead of schedule. While there remains no room for complacency in the fight against unemployment, this is certainly a milestone that deserves recognition.

We have twice increased the job creation target since the inception of the $470 million initiative in 1998, and this achievement is more than double our original four-year goal. Programs are targeted to assist those most disadvantaged in the labour market, particularly those who have been out of work for more than 12 months and who are not being helped by existing systems. The Breaking the Unemployment Cycle programs touch almost every area of the community—from private to public sector, youths to mature aged, job seekers to community organisations. Let me give the House some examples of what has been achieved. Some 9,267 unemployed people received paid work and gained new skills in projects that benefit their communities under the Community Jobs Plan. Some 8,933 job seekers found work after undertaking training, Job Search and other assistance provided by community organisations through 431 projects that received $23.21 million from the Community Employment Assistance

Program. Another 12,456 people have been assisted under that program. Some 9,770 private employers and 30 group training organisations have been paid $32.9 million for hiring 13,044 extra apprentices and 5,608 additional trainees in crucial skills-shortage industries. State government agencies and local councils have created 11,798 extra traineeships, 585 extra apprenticeships and 419 school based positions. Some 882 people have gained green traineeships funded by the Youth for the Environment and Local Communities program.

Let me illustrate the human dimension of this program by tabling a report from the *Toowoomba Chronicle* of 27 May this year on 12 unemployed people doing a project at the Toowoomba Showgrounds. Downs Group Training Project Coordinator, Mr Tom O'Mara, is quoted as follows—

The first week of February they started turning sod to build the tiered seating at the northern end of the grandstand. They had 15 weeks to do it in, but they finished it in time for the show. Then they were kept busy with small jobs around the showgrounds and a major retaining wall over at the equestrian centre.

Mr Shine interjected.

Mr MATT FOLEY: I thank the member for Toowoomba North for his strong support. Mr O'Mara is reported as saying—

The course equips them with the skills and confidence to take the next step in breaking the unemployment cycle.

Despite the dismissive claims by the member for Toowoomba South that projects of this kind were nothing more than painting rocks white, no record of white rock painting has been discovered in my department's records and certainly not at the Toowoomba Showgrounds.

MINISTERIAL STATEMENT

Severe Acute Respiratory Syndrome

Hon. W. M. EDMOND (Mount Coot-tha—ALP) (Minister for Health and Minister Assisting the Premier on Women's Policy) (9.52 a.m.): Following the Premier's announcement that Queensland will be involved in SARS research, I felt it would be timely and appropriate to provide the House with an update on the SARS situation. Across Australia more than 100 people have now been investigated for suspected SARS. Five Australians, including one from Queensland, have been notified to the World Health Organisation as meeting the criteria for probable SARS. All of these people have recovered and there have been no secondary cases. Up to last night, the World Health Organisation had been notified of 8,384 probable cases and 770 deaths due to SARS world wide.

The fatality rate is estimated to be about 15 per cent. Higher mortality is seen in older patients and in those patients with pre-existing medical conditions. Local transmission of SARS has occurred in a number of countries and ongoing transmission is still of concern in many provinces of China as well as Taiwan. The World Health Organisation currently has travel warnings in place for China and Taiwan and has reinstated the travel warnings for Toronto, Canada, where there have been 31 deaths already. The symptoms of SARS are fever greater than 38 degrees Celsius and respiratory symptoms including cough and difficulty in breathing. Any traveller returning from areas affected by SARS who becomes unwell with any of these symptoms should seek medical advice without delay. One of the problems with SARS has been the lack of a fast diagnostic test. In the case of the last suspected Queensland patient, it is now a month since he was treated and we still do not know for certain if he had SARS. Anything that we can do in Queensland towards the development of a fast diagnostic test will be a significant achievement and will help enormously in controlling the spread of the disease and allow those people who are shown not to be infected with SARS back into the community.

MINISTERIAL STATEMENT

Business Opportunities in Queensland

Hon. T. A. BARTON (Waterford—ALP) (Minister for State Development) (9.54 a.m.): Recently the Department of State Development initiated a formidable alliance with major hotels. This initiative involves leading hotels partnering with the Queensland government and screening a business investment attraction video on their in-house television systems. The video titled *Ten reasons why it's smart to do business in Queensland* is squarely aimed at the corporate business traveller. It is a targeted and original way of conveying this government's message that doing business in Queensland is a smart move. In particular, it highlights the main reasons why we are

the best place in Australia and the Asia-Pacific region to do business. The top 10 reasons are: our centralised location in the Asia-Pacific region; our superb lifestyle; the pro-business Queensland government; low business set-up and operating costs; a low cost of living; the richness of our natural resources; the skilled and diverse work force; our comprehensive infrastructure; the clean, green environment; and Queensland's globally competitive economy. This marketing message is an imaginative way of ensuring our investment message gets to top businesspeople who are staying in Brisbane's best hotels, experiencing what we have to offer first-hand.

Among the hotels taking part are the Sheraton, Conrad Treasury, Hilton, Holiday Inn, Hotel Grand Chancellor and Carlton Crest. Every one of the hotels approached has agreed to take part in this scheme, which again promotes Queensland as the country's most attractive investment location. In coming months the initiative will be expanded throughout the state to major tourism centres such as the Gold Coast, the Sunshine Coast, Cairns and the Whitsundays. When one considers the major events that our state will be hosting in coming months, including the Rugby World Cup 2003, and the types of guests that will be attending them, this promotional scheme is very timely. It is further evidence that this government has all bases covered when it comes to attracting business to the best state in Australia—Queensland, the Smart State.

Mr SPEAKER: Order! Before calling the Minister for Police, would members please turn their mobile phones off.

MINISTERIAL STATEMENT

Western Outreach Camp Program

Hon. T. McGRADY (Mount Isa—ALP) (Minister for Police and Corrective Services and Minister Assisting the Premier on the Carpentaria Minerals Province) (9.57 a.m.): Our government is doing a lot to break the cycle of crime through rehabilitation programs in our prisons system. In August last year the parliament approved changes to allow more low security prisoners to be put to work in outback communities as part of the successful Work Outreach Camps Program, better known to us all as the WORC program. This program has run successfully in a number of outback communities for the past decade and has assisted in providing prisoners for approved community service projects which help our remote areas. On Friday night of last week I went to Julia Creek to open a new kindergarten which had been greatly assisted by the local prisoners from the camp. Everybody I spoke to gave accolades to them for the work they did.

I am pleased to report to the House that during 2002 WORC camps contributed more than 50,000 hours of labour, equating to $767,000. The number of prisoners on the WORC program as at May this year was 138, which is significantly more than before the changes came into place. The prisoners are also working for longer periods thanks to some administrative changes which I instituted in consultation with the Queensland Public Sector Union late last year. So we now have more prisoners working on the program for longer hours. Through the WORC program we are ensuring that prisoners give something back to the community. This is just one of a number of positive prison programs which the Beattie government fully supports. We also have in place prison industries which help to give prisoners new skills to enhance their employment opportunities when they leave the prison system. After all, if we can help offenders into employment, it will go a long way towards stopping their reoffending. We also have a range of programs to improve literacy and numeracy. This government is committed to breaking the crime cycle, and our support of these types of projects is positive proof of this fact.

MINISTERIAL STATEMENT

Safety at Level Crossings

Hon. S. D. BREDHAUER (Cook—ALP) (Minister for Transport and Minister for Main Roads) (10.00 a.m.): Queensland is leading the nation in improving safety at rail level crossings. Yesterday I introduced a bill in the House aimed at enshrining in legislation measures to maximise safety on Queensland's rail network. In another significant development for rail safety—and for Queensland—a recent meeting of the Australian Transport Council, held in Melbourne on 23 May, adopted Queensland's method of risk assessment of level crossings. All Australian state and territory transport ministers agreed to adopt this innovative method of risk assessment.

The government is also spending $17 million reducing safety risks at level crossings across the state, by undertaking safety upgrades of crossings. The method used, known as the Risk Scoring Matrix, was developed in 1999 by Queensland Transport in conjunction with the

Department of Main Roads and Queensland Rail. It has been used since that time as a means of analysing the state's level crossings and introducing effective controls to reduce safety risks to motorists, train drivers and their passengers.

Consultation with councils, police, and local community stakeholders is a key aspect of the method, with timing for work a matter for local councils and relevant local committees. There are over 3,500 level crossings in Queensland. About 10 per cent of those are protected by lights, a further five percent by lights and boom gates, with signage marking the remaining crossings. The Beattie government's $17 million program will ensure that 240 of these crossings on the non-commercial network are upgraded.

The adoption of the Risk Scoring Matrix as a national rail safety measure is testament to Queensland's leadership role on rail safety. Accidents at railway level crossings have declined from 34 accidents in 1997 to 22 in 2002. By using the Risk Scoring Matrix to conduct a risk based evaluation of level crossings across Queensland we can reduce this number even further and guard against future accidents. Using the matrix also ensures the government's five-year $17 million open level crossing upgrade program is properly targeted. The method is continually improved and updated, taking into consideration such elements as visibility, traffic volumes, signage, vegetation and the findings of level crossing accident investigations.

Once a crossing has been evaluated using the matrix, suitable safety controls are identified to improve the safety of the level crossing. I congratulate the other states and territories on their decision to adopt Queensland's Risk Scoring Matrix. It will provide a consistent approach to managing level crossing safety across Australia.

MINISTERIAL STATEMENT

Suncorp Stadium

Hon. R. E. SCHWARTEN (Rockhampton—ALP) (Minister for Public Works and Minister for Housing) (10.02 a.m.): I would like to congratulate the Department of Public Works on its hard work and dedication during the past 103 weeks to deliver the Suncorp Stadium. My special thanks go to the small band of Public Works people who were the project team that worked at the coalface of this project and who no doubt suffered a few sleepless nights. They are Mal Grierson, Gary May, Gavin Litfin, Peter Teys, Steve Hobson, Graeme Pierce, Kerry Petersen, Deborah Mcleod, Lisa Worner and Patrick Camm.

Some 103 weeks ago the site was basically a demolition zone. The old McAuliffe Stand and the outer seating were being removed—Wally was packed away—in preparation for the construction of the new world-class stadium. The demolition was followed by the archaeological excavations of grave sites meticulously carried out by University of Queensland personnel. It was from this point that the site became a true construction site, with hundreds of workers laying the foundations for the new stands.

I well recall visiting this site in February 2002 during the heat wave when the temperature was 42 degrees and feeling dreadfully sorry for the builders labourers who were tying the steel in the hot sun. This work and the external infrastructure continued at a rapid rate. During my 94 visits to the site, I was always amazed by the progress achieved between visits. This is a credit to the workers on the site, who at the peak of construction numbered more than 1,000.

Finally, after months of construction work which involved many complex operations, the stadium started to take shape. One of the major steps in the critical path to completion was the finalisation of the roof structure by Sun Engineering, a Queensland company. Once the roof was in place, we had the go-ahead to install the metal seat frames and seats and of course the hallowed turf. I might add that the seats were also supplied by a Queensland firm—Orica.

Ensuring the turf was not damaged and the location was kept secret was another major concern during the construction phase. I can now advise that I shook hands on a deal with Digit to ensure that the site was kept secret so that hoons or over zealous would-be State of Origin players did not trample the turf. Fortunately, this went to plan and finally the turf was laid in its new home in the 98th week into the project. One of the finishing touches was also the erection of the goalposts.

Mr Palaszczuk: The turf is Legend.

Mr SCHWARTEN: The name of the turf is Legend; that is correct. I thank the DPI for its involvement in selecting that grass.

Last Sunday, we saw more than 46,000 people being catered for by the 61 food and drink outlets and other excellent facilities, including over 600 toilets, two very large video screens and a loud and clear public address system. The staff and security working on the day were friendly and efficient, making the day a winner even though our team was defeated. The view from all seats on all levels has been reported as being excellent. This truly is a major success for the Department of Public Works.

It has been a complex and difficult project from week one right up until week 103 and all involved should feel justifiably proud. I want to personally thank the unions and their members for their cooperation in getting this project completed. Let there be no mistake that, had the unions not cooperated, the stadium would not have been opened last Sunday. The CPEU, CFMEU, AMWU and BLF, and the construction unions in particular, were involved in a significant campaign to secure better wages and conditions for their members. I pay tribute to those unions for not singling out this site to make their point. As I said, had they done so, it would not have been finished last Sunday.

We were able to negotiate with both the joint venture and the unions to overcome problems along the way. At the end of the day, the Department of Public Works, Multiplex Watpac and the workers have delivered this major piece of public infrastructure.

Throughout the last 103 weeks this project has been under almost constant attack from the opposition and others as being over budget or over time. These doomsayers have been proved wrong, as it has been delivered on time and on budget, as has every project for which I have had responsibility for the last five years. I also wish to point out, most importantly, that despite the complexity and worker danger which comes with a project like this not one worker was seriously injured during the last construction period. On State of Origin night on 11 June I am sure we can go one step better and record a victory against the Blues. The happiest man in the House will be the minister who now owns the stadium, Mr Mackenroth.

MINISTERIAL STATEMENT

Child Care

Hon. J. C. SPENCE (Mount Gravatt—ALP) (Minister for Families and Minister for Aboriginal and Torres Strait Islander Policy and Minister for Disability Services and Minister for Seniors) (10.07 a.m.): The recent federal budget must have been a huge disappointment to the thousands of Queensland and Australian families desperate to secure child care places, because not one extra place was provided by the Howard government. The fact is that in Queensland we have 45 per cent of the national shortage in family day care places and 29 per cent of the national shortage in outside school hours child care places.

In contrast, the Beattie government is committed to supporting Queensland families and to strengthening the child care industry in this state. We are investing more than $14 million in new technologies, training strategies, research and integrated facilities, and today I am pleased today to announce additional funding for 52 child care services in this state. More than $1.2 million will be provided to 48 limited hours child care services around the state, out of the 2002-03 budget. These services are a Queensland initiative and were created to meet the child care needs of families primarily located in small rural and remote communities that are unable to attract commercial service providers.

The distribution of this funding will ensure equitable access across communities and the ongoing viability of these services. Communities to benefit include Barcaldine, Alpha, Sapphire, Moura, Capella, Coen, Atherton, Quilpie and Surat. Another $400,000 will establish a mobile child care service in the central and north Burnett area and assist services in Emerald, Charleville and Mareeba purchase resources and equipment. A sum of $353,500 will be provided to the Maryborough child-care centre to run a mobile playgroup over the next three years to support families, particularly itinerant workers, who currently have limited or no access to early education or care services.

The new mobile playgroup will employ two qualified staff. This means that families also in Biggenden, Coulston Lakes, Ban Ban Springs, Gayndah, Eidsvold, Mundubbera—

A government member: Mundubbera.

Ms SPENCE: And I have been there.

A government member interjected.

Ms SPENCE: Maybe just the once. Bancroft, Allies Creek, Thangool, Monogorilby, Abercorne—

Mr Seeney: Abercorne.

Ms SPENCE: Abercorne, will have access to some of the resources enjoyed by families in Brisbane. The member should be very happy with this announcement. Equipment in the travelling van includes resources to promote good child care practices with an emphasis on child safety, hygiene and fun for all. Playgroups will run from two to four hours and the service will also run workshops for parents, link with local support groups and coordinate visits with other government departments and agencies.

Because isolated families do not have access to toy libraries, these kits and other initiatives, which are in high demand, will be used in collaborative activities with small kindergartens and child care services. This government will continue to invest in the child care industry in this state. Families can rest assured that no matter where they live, we are committed to providing them and their children with equality of opportunity and care.

MINISTERIAL STATEMENT

Tourism Marketing Campaign

Hon. M. ROSE (Currumbin—ALP) (Minister for Tourism and Racing and Minister for Fair Trading) (10.11 a.m.): Queensland's latest tourism marketing campaign promises to be a stunning success. The Go On. Get Out There campaign aims to insulate the tourism industry from the impacts of the Iraq war and SARS outbreak by encouraging Aussies to holiday at home. We are repeating the successful strategy adopted by Queensland in the wake of September 11 and the Ansett collapse. If hits on Tourism Queensland's newly launched web site can be taken as a guide, our newest domestic marketing campaign could be one of our best ever.

Tourism Queensland's newly launched web site www.queenslandholidays.com.au attracted 1.5 million page views during May. The hot deals section of the web site received more than 37,000 page views during May—an increase of more than 700 per cent on the previous month. In the week preceding the Go On. Get Out There campaign launch, 1,665 page views were recorded for the queenslandholidays site. The figure soared dramatically to 26,876 by the end of the first full week of advertising.

The number of hits should be a huge boost to industry confidence and it suggests that our marketing strategy is really hitting the mark. After a bumpy start to the year, this level of response to our marketing investment signals the prospects of a strong recovery for Queensland tourism. We launched the web site in mid-March, hoping it would generate business. It has exceeded our wildest dreams, with almost 1,700 booking leads resulting from the flood of inquiries. There are more than 3,000 pages of content already on the site and new content is being added daily.

Queenslandholidays.com.au taps into the Australian Tourism Data Warehouse, an Australian Tourism Commission initiative, which provides a national database of information on tourist operators. The data warehouse is a tremendous resource for the tourism industry and I am pleased that, due to incentives offered by Tourism Queensland, subscriber numbers in this state are increasing. Of the 10,000 operators currently listed with the data warehouse, almost 2,000 are Queensland based.

Whether it is a case of competitor advantage or just plain good business sense, these facilities are proving to be a big hit with the consumer. I encourage tourist operators across Queensland who have not yet subscribed to the data warehouse to consider the benefits of doing so. And for anyone thinking of travelling to or within Queensland, they can get all the holiday destination inspiration they need by visiting queenslandholidays.com.au.

MINISTERIAL STATEMENT

Harmful Algal Bloom Response Plan

Hon. S. ROBERTSON (Stretton—ALP) (Minister for Natural Resources and Minister for Mines) (10.16 a.m.): For the first time, Queensland has a whole-of-government response plan to deal with harmful algal blooms. The Harmful Algal Bloom Response Plan clarifies relative areas of responsibility between state government agencies, local governments and water storage operators for dealing with algal blooms that may pose a threat to humans, livestock, pets and native animals. The plan was developed by an inter-agency working group chaired by my

Department of Natural Resources and Mines and comprising senior officers of Queensland Health, the Environmental Protection Agency, the Department of Primary Industries and the Local Government Association of Queensland.

Harmful algal blooms occur naturally in fresh and marine waters, but their frequency, duration and intensity can be affected by run-off from agricultural, urban and industrial activities. Some species of algae become toxic under certain conditions and can be fatal to livestock and native animals if ingested. Humans can be affected if they ingest toxic algae or consume fish or shellfish that have fed on toxic algae.

The most common harmful algae are blue-green algae in fresh waters and lyngbya in marine waters and they tend to occur in the early summer months when flow conditions are calm, there is plenty of light and water is relatively warm. Under the plan we now have in place, EPA will respond to marine based algal blooms, DPI will address harmful algal blooms on private water storages, local governments will respond to blooms in ornamental lakes and recreational water, water storage operators will respond to blooms in their storages and regulated streams, and my Department of Natural Resources and Mines will address blooms in the remaining freshwater streams and lakes. Queensland Health will become involved if a bloom poses a major threat to human health.

The Harmful Algal Bloom Response Plan also commits these agencies to train their staff to investigate events, to raise public awareness of the dangers of harmful algal blooms, and to educate communities on their causes and symptoms. It is expected that greater understanding of harmful algal blooms will help communities to better manage their exposure to any occurrences, to address their causes, and to better distinguish between potentially harmful algal blooms and harmless water quality or water-weed events.

One reason we have developed this plan is to address the present lack of coordination in dealing with public inquiries about algal blooms. Currently, the public are unsure who to turn to and so take a guess and ring their local council or their nearest government agency. If the agency, council or storage operator do not believe it is their issue, they often tell the inquirer to try someone else. This causes understandable frustration. Under the new response plan, the first point of contact is expected to take the details of the inquiry and tell the inquirer that it will be investigated. The agency then uses the plan to identify who should deal with it and transfer the issue to them for follow-up. To improve cross-agency links, it is proposed to establish regional based HAB teams made up from the relevant agencies so that they can jointly deal with local issues and where necessary help out if another agency cannot deal with an inquiry in time.

The economic effects associated with harmful algal bloom are many and include increased water treatment costs and associated monitoring activities, loss of affected stock, loss of recreational amenity of freshwater lakes and beaches, and contamination of fish and shellfish products. This new whole-of-government response plan will help us to greatly improve mechanisms to respond to such potentially harmful outbreaks in our freshwater and marine waters.

MINISTERIAL STATEMENT

Local Government Week

Hon. N. I. CUNNINGHAM (Bundaberg—ALP) (Minister for Local Government and Planning) (10.18 a.m.): This is Local Government Week and I want to inform the House that Queenslanders now have a chance to nominate their councils for the inaugural Minister's Awards for Excellence in Local Government. I am delighted that the awards are taking place this year as I believe they are a vitally important way for us all to recognise the achievements of the 125 local governments in Queensland.

These awards seek to uncover and reward those local governments which are achieving excellence in developing new and more effective ways to deliver their services and ultimately achieve or emulate best practice in addressing the social, economic, environmental and cultural needs of Queensland communities. Applications for nomination for these awards close on Friday, 25 July this year and the recipients will be publicly acknowledged at a special awards presentation in September. There are four categories in the awards: Excellence in Customer Service—to be nominated by a member of the public—and three sections that councils can nominate themselves for: Excellence in a State-Local Government Partnership Project; Excellence in Smart State—Community Building; and Excellence in Planning.

I launched these awards in Caloundra on Monday to coincide with the launch of Local Government Week, which aims to highlight the integral role councils play in their communities. Local government is the tier of government closest to the people, providing services and facilities that most people use every day and that some of us take for granted. Queensland councils employ more than 30,000 people in some 380 occupations, manage public infrastructure worth about $50 billion and maintain more than 145,000 kilometres of roads. But small or large, Queensland councils play a crucial role in contributing to the lifestyle of their residents.

The activities and events being scheduled across Queensland for Local Government Week are showcasing councils' roles and achievements and the week provides the public with opportunities to learn more about and become involved with their own council through a range of innovative and exciting activities. It also enables councils to better inform the community about the range and importance of the services they provide.

Local governments around Queensland will be staging events such as council open days, school visits and displays, as well as providing free access to council facilities for the week. And I encourage councils and their ratepayers to nominate for the Minister's Awards for Excellence in Local Government. Those nomination forms are now available.

MINISTERIAL STATEMENT

Forum for European Australian Science and Technology

Hon. P. T. LUCAS (Lytton—ALP) (Minister for Innovation and Information Economy) (10.20 a.m.): I wish to advise the House about a brand new science venture that I am launching today between Australia and France. At lunchtime here at Parliament House I will be welcoming researchers and innovators who are part of FEAST France—a science and technology cooperation between us and Europe.

This government often talks about the world-class science that is being done here in the Smart State. This FEAST alliance—which stands for the Forum for European Australian Science and Technology—is yet another avenue for Queensland to take part in joint research and development opportunities in Europe. FEAST France puts a particular focus on our relationship with France, and will use the resources of the French Embassy to provide even greater research cooperation between both countries, our universities and science organisations.

We have a lot to benefit from by being a collaborative partner with France. Its biotechnology sector is the third largest market in Europe, and is worth 757 million euros. In recent years it has grown faster than the world market, attracting a host of small to medium enterprises similar to the way our sector has grown here in the Smart State. In turn we have a lot to offer France. Just last week we celebrated the opening of our Bioscience Precinct at UQ—the largest research institute in the Southern Hemisphere. Some have already hailed it as equal to the renowned The Institute Pasteur in France!

FEAST France is a great opportunity for Queensland. It is an opportunity for a technical and cultural exchange of ideas, knowledge and skills. At today's launch of the first meeting of the Brisbane chapter of FEAST France, I will also be handing out awards to 21 Queenslanders who have attracted $170,653 in grants for collaborative research projects between Queensland and French scientists. These collaborative projects include research into schizophrenia, and using traditional medicines to combat fish poisoning. The recipients are from UQ, QUT, Griffith University, CSIRO, the DPI and NRM.

Queensland is out there as a global player in the biotech industries. I am looking forward to further promoting our top class R&D with the Premier in Washington this month, when we attend BIO2003, the world's biggest biotechnology conference. Vive la Republic! Vive la France!

SITTING HOURS; ORDER OF BUSINESS

Hon. A. M. BLIGH (South Brisbane—ALP) (Leader of the House) (10.22 a.m.): by leave, without notice: I move—

That notwithstanding anything contained in the Standing and Sessional Orders, for this day's sitting, the House can continue to meet past 7.30pm.

Private Members' motions will be debated between 6 and 7pm.

The House can then break for dinner and resume its sitting at 8.30pm.

The Order of Business shall then be Government Business followed by a 30 minute adjournment debate.

Motion agreed to.

DANGEROUS PRISONERS (SEXUAL OFFENDERS) BILL
All Stages; Abridgment of Time

Hon. A. M. BLIGH (South Brisbane—ALP) (Leader of the House) (10.23 a.m.), by leave, without notice: I move—

That so much of the standing and sessional orders be suspended to enable the Dangerous Prisoners (Sexual Offenders) Bill to be able to pass through all its remaining stages at this day's sitting.

Mr WELLINGTON (Nicklin—Ind) (10.24 a.m.): In speaking to the motion that the bill be identified as an urgent bill, I ask the minister and mover of the motion: notwithstanding that this bill is set to pass through all stages as an urgent bill, will the minister refer this bill to the Scrutiny of Legislation Committee for consideration? I refer the minister to section 84(2) of the Parliament of Queensland Act, which I will quote for the benefit of the other members. This section refers to the powers of the Scrutiny of Legislation Committee to scrutinise bills before the House. Section 84(2) actually states—

The committee is to also deal with an issue referred to the committee by the Assembly or under another Act, whether or not the issue is within its areas of responsibility.

The reason I ask the minister this question is that this is the third time in as many days that we have seen important bills introduced into this House which have not been considered by the Scrutiny of Legislation Committee. On my understanding of the terms of the committee, it is not allowed to be considered. I refer members to a bill debated recently, the Major Sports Facilities Amendment Bill. Then last week we had the Vegetation (Application for Clearing) Bill. Now this morning we have this very, very important bill, the Dangerous Prisoners (Sexual Offenders) Bill.

I certainly am not opposing the consideration of this important bill. However, I am seeking an assurance from the Leader of Government Business, the minister who has introduced this bill, that she will not overlook the very important committee structure that we have in this parliament. We do not have an Upper House. We do not have a house of review. All we have is this House.

A number of years ago a previous government set up a committee process so that important pieces of legislation could be considered in a bipartisan way. This is the third time in as many days that this committee process has been usurped. When I spoke on the Major Sports Facilities Amendment Bill I asked the mover, the Treasurer, if he would consider referring the matter to the committee. Then when I spoke on the Vegetation (Application for Clearing) Bill, I also asked the Minister for Natural Resources if he would consider referring that matter to the committee. I also ask the mover of this motion if she will consider referring this very important bill to that committee, notwithstanding that it is set to pass through all stages today. I note that the committee is scheduled to have a committee meeting tomorrow.

Ms BLIGH: I thank the honourable member for the points that he has made. I can say that the government appreciates how important it is that this House has the opportunity to have full scrutiny of bills and how important the work of the Scrutiny of Legislation Committee is.

While there have been a number of bills recently that have had to be considered on a basis of urgency, I do think it is fair that the member recognise that that is not a usual practice and that there has been a reasonable basis for that in the case of each of the three bills. However, in relation to this special bill, I am advised that the bill was provided to the scrutiny committee yesterday, that the committee chair has had a discussion with the minister and that he has advised that the committee will consider the bill, that it can report to the parliament retrospectively. I would hope that satisfies—

Mr WELLINGTON: Point of order, Mr Speaker. The committee has not considered this bill. We have not met.

Mr SPEAKER: Order! This is not a time for debate.

Ms BLIGH: I clarify that I did not say that the committee had considered the bill; I said that the bill had been forwarded to the committee and, as I understand it from the minister, who has had a discussion with the chair of the committee, it is the intention of the chair to bring it to the committee's attention and the committee can report to the parliament retrospectively.

Motion agreed to.

NOTICE OF MOTION
Fuel Prices; Parliamentary Select Committee

Mr SPRINGBORG (Southern Downs—NPA) (Leader of the Opposition) (10.27 a.m.): As part of my positive politics agenda, I give notice that I will move—

That this Parliament supports the establishment of an all Party Parliamentary Select Committee to enquire into the disparity of fuel pricing across Qld and to make any recommendations necessary to ensure transparency and fairness in Qld fuel pricing.

The committee is to comprise 3 members of the Government, 2 members from the Opposition and 1 member drawn from either the Independents or One Nation Party, with the Government holding the Chairmanship of the Committee and the Chairman possessing a deliberative and casting vote.

VAGRANTS, GAMING AND OTHER OFFENCES (FLAG PROTECTION) AMENDMENT BILL

Mrs LIZ CUNNINGHAM (Gladstone—Ind) (10.28 a.m.), by leave, without notice: I move—

That leave be granted to bring in a bill for an act to amend the Vagrants, Gaming and Other Offences Act 1931.

Motion agreed to.

First Reading

Bill and explanatory notes presented and bill, on motion of Mrs Liz Cunningham, read a first time.

Second Reading

Mrs LIZ CUNNINGHAM (Gladstone—Ind) (10.28 a.m.): I move—

That the bill be now read a second time.

This bill responds to concerns expressed to me over a period of time from members of the community, both in my electorate and further abroad. Because many news items expose the observer to film footage, the viewer is periodically exposed to vision of demonstrations. The right for people in Australia to demonstrate is one which has been guarded jealously. Each time a state government or, indeed, the federal government considers restricting the right to protest, a great deal of objection is rightly raised.

This bill in no way restricts the right of individuals and groups to peaceful protest. It will, however, remove one aspect of protest which has in the past caused concern and distress to some in the community. The sight of our national flag being set alight has caused a great deal of distress and sadness, particularly to those returned servicemen and women who have fought under the flag for the freedom of our nation. It has been expressed to me that the wanton destruction of the flag merely to emphasise a point during a protest is an act of disrespect that also disrespects the memory of those who have died for our nation. I believe that many who burn or slash the flags as a sign of protest would not consider the hurt they may be causing others who view their actions.

However, the strength of feeling expressed to me in relation to this matter has been strong and consistent. The flag as a symbol of our state and our nation should have conferred on it sufficient status and protection to ensure that respect and dignity are afforded not just to the tangible aspects of the flag but the symbolism for which it stands. This bill will not affect the ability of schools, government departments, individuals and others from respectfully disposing of a flag which is faded or tattered. Such disposal can still be done privately. However, any public defacing, slashing, burning or other destruction of the flag will be an offence and attract a maximum penalty of 100 penalty units. I commend the bill to the House.

Debate, on motion of Mr McGrady, adjourned.

QUESTIONS WITHOUT NOTICE

Australian Magnesium Corporation

Mr SPRINGBORG (10.30 a.m.): My question without notice is directed to the Premier. On 29 April the Premier said that complex arrangements were in place to protect the state's investment in AMC. Yesterday he said that he had to appoint senior advisers to consider all options to ensure the state's interests are protected. How secure is Queensland's $100 million investment in the AMC project and what is the value of the assets this loan is secured against?

Mr BEATTIE: I have in fact spelt out in detail on two previous occasions the answers to the questions asked by the Leader of the Opposition. In fact, in two ministerial statements I have gone to great lengths to explain to and set before the House the detailed joint package between the Commonwealth and the state.

Indeed, I remind the Leader of the Opposition that this proposal has been supported by both the Commonwealth and state governments. I have here a new statement from Ron Boswell, a National Party senator and parliamentary secretary to the Minister for Transport. Senator Boswell today welcomed the $50 million announcement for the further development of Australian Magnesium Corporation. It is supported by Senator Boswell. I have here statements from Senator Nick Minchin in which he announced last year the Commonwealth's proposition and support. In fact, he said—

The magnesium industry is one in which Australia has the potential to be a world leader. AMC's Stanwell magnesium project will be a catalyst for making this happen.

...

This is a massive project of great national importance.

I agree with Senator Minchin in relation to that matter. He went on to say—

AMC's equity raising for the project was oversubscribed, justifying the Commonwealth Government's backing for the project.

I table that for the information of the House. What does that establish? That establishes that both the Commonwealth and the state governments are supportive of this proposition.

I am happy to add to what I have said previously, because I have now made three ministerial statements on this matter, if my memory serves me correctly. AMC has called a meeting for this afternoon in Sydney. It will involve AMC, the federal government, the state government and other stakeholders. We will hear the latest position in relation to the company. I have asked the Director-General of the Department of State Development, Paul Fennelly, a team of senior officials from Treasury and advisers to represent the state government.

The government may remain supportive of the project, given its significant potential benefits to the state and to Australia. At the same time, the state also needs to ensure that taxpayers' funds are safeguarded. I have detailed the arrangements for protecting taxpayers' interests previously in the House.

Australian Magnesium Corporation

Mr SPRINGBORG: I direct a further question to the Premier. On 1 April 2001 the Premier berated investors for not supporting AMC after the capital raising failed, saying—

In AMC's case the financial markets have failed spectacularly to support a sound, long-term investment of smart technology for a smart, new industry. I call on the investment community to think about the future and make strategic investments in industries that meet the emerging demands of the new century.

What does the Premier now have to say to the 23,000 mum and dad investors and state public servants who have invested in AMC following his advice?

Mr BEATTIE: I thank the Leader of the Opposition for his question. I have previously indicated to the House the government's position on these issues. I want to make it very clear: as far as I am concerned, this project—and there is a meeting in Sydney today involving the Commonwealth, the state government and other stakeholders—will be given every support by my government to survive. The reason is very simple: I want to see the building of Smart State technologies. I want to see the value adding of minerals from this country and their export to the world.

I go back to what I said at the time. We face certain difficulties as a nation. There are 19 and a half million Australians. One of the biggest disadvantages this wonderful country has is that we do not have enough capital. That is our problem. When there are floats, such as that of AMC when it went to the market, there is a difficulty because often the big end of town will not invest. What does that mean? That means technology like this goes to the United States. It goes offshore. The Leader of the Opposition is a father and so am I. I want my kids and his kids to have the best. If we do not invest in value adding, we will be nothing more than a beach. Our kids will not get jobs.

I want to see this project survive. I do not want to see any discussion in here today or out in the community about writing this off. If something happens and there are difficulties with it going ahead, so be it, and I will have more to say about that on that occasion. This project is long overdue. The good thing about it is that it is Australian technology. That is why we had a federal Liberal-National government joining with a Labor state government to support it.

I know that there are difficulties. We tried to solve one of Australia's weaknesses, and that is the lack of capital. We tried to encourage this project. Unless we go for the big vision for

Australia's future, we will end up being a little nation. That is the choice for Australia. I know that there is good politics in this. I understand that; I did not come down in the last shower. But I want those opposite to understand this—

Mr Horan interjected.

Mr BEATTIE: Hang on, I have a quote from the member for Toowoomba South that I should have intervened earlier and put more money in. He should not be a hypocrite. The reality is that small-mindedness takes us nowhere. That is why we need to support major projects. I understand the difficulty. Anything I say in this House today can affect the market and the future, even though there has been a suspension. I do not intend to undermine and destroy this project in this House today. I want to give this project every single opportunity.

If this project does not go ahead, then I am happy to come into this House and explain my behaviour, the behaviour of my government and the behaviour of the Howard-Anderson government. There is one thing I know, and it is this: it is about time we started value adding and developing our own minerals. I am sick to death of putting our minerals in ships, sending them overseas to Japan and elsewhere and then buying them back. If those opposite think that is bright, then I do not agree with them. I want to see Australia developed for Australians.

Mr SPEAKER: Order! Before calling the member for Burleigh, I welcome to the public gallery students and teachers from St Agathas Primary School in the electorate of Clayfield. I also make mention of Katherine McCormack, who is a student. She is the niece of former member Clem Campbell, who is in the gallery, and she is also the great-grandniece of former Premier Ned Hanlon. Welcome to you all.

Smart State, Major Projects

Mrs SMITH: My question is directed to the Premier. Queensland is on the verge of unprecedented growth in major projects. Can the Premier outline some of the opportunities this opens up for businesses in the Smart State?

Mr BEATTIE: I thank the honourable member for Burleigh for her question, and of course she is right. That is one of the reasons we are supportive of them. Let us look at the major projects. Major projects worth more than $2.1 billion are under way or in the planning stages in Queensland, including the $150 million Enertrade gas pipeline to Townsville, the $500 million north Townsville power station, the $120 million Capral aluminium project, the $800 million Swanbank paper mill, the Burnett water infrastructure projects worth more than $200 million, and Queensland Rail infrastructure and heavy equipment, including $370 million for track renewal between Cairns and Rockhampton. There is a string of others that I have not mentioned. There is the Comalco development and the list goes on. All of these projects will deliver jobs for Queenslanders, and that is what the Smart State is all about: attracting new industries and securing new jobs in new opportunities.

Next week we will shine the spotlight on 22 major projects earmarked for Queensland at the State Development Major Projects conference in Brisbane which State Development Minister Tom Barton has organised. This conference will give Queensland businesses the best insight into how they can capitalise on the opportunities these projects offer them. It will cover projects in the construction and civil works, transport and aviation, manufacturing, minerals processing, mining and energy sectors. At last Tom Barton has been able to release on behalf of the state government a manufacturing strategy—the first the state has ever had.

The opportunities include acting as service providers, subcontractors or manufacturers and the provision of legal and financial advice. Delegates will have the opportunity to take away with them inside knowledge on Queensland's major project climate. This conference is yet another example of how my government is helping Queensland business to make the most of major projects in this state. We will also continue to encourage the participation of local businesses in the supply chain for major projects.

This is being done through the state purchasing policy, which enables Queensland government departments and agencies to have the flexibility to shop around locally before going anywhere else. It means jobs in the regions. Through our local industry policy we are also working to ensure major government and private sector projects use as much locally manufactured content as possible. It means jobs for Queenslanders in the regions.

We are giving Queensland firms every opportunity to win business. Many Queensland firms are already benefiting from the unprecedented level of activity in Queensland. For example, more

than 300 Gladstone companies have shared in over $130 million worth of business from the construction of the Comalco alumina refinery. It is not bad for the local community. We are also applying these policies to government's dealings with the private sector. We are ensuring everyone gets a fair go while building a sustainable future for Queensland businesses and bolstering the Smart State economy.

The local content proposal in these major projects is giving unprecedented development to this state. Central Queensland, which has needed support from government for major projects, is seeing unprecedented development. Part of our difficulty has been getting the training and skills for jobs. That is one of the things that TAFE is doing in partnership with business.

Commonwealth Assistance Package

Mr SEENEY: My question is directed to the Premier. I refer to the answers that the Premier gave to my colleague the Leader of the Opposition—and I assure him that we do not disagree with his statements about supporting projects like this. Our concern is about the way the government has invested taxpayers' money. I refer the Premier to a comment by Senator Minchin when he referred to the Commonwealth's assistance package. He said, 'The guarantee will only be drawn if they complete raising funds and the project is built.' Is it not true that the $100 million that the Premier invested on behalf of the Queensland taxpayers is at the opposite end of the scale of risk to the Commonwealth's investment?

Mr BEATTIE: Let me reiterate very clearly that we cannot shirk our responsibility to our children. This project is about the future of the state.

Mr Seeney interjected.

Mr BEATTIE: Do not be the village idiot. I do not mind it most days but this is about the future of the state. I will give a serious answer.

Mr SEENEY: Mr Speaker, I raise a point of order. Obviously, I find that offensive. I made it clear that I support the Premier's comments.

Mr BEATTIE: I withdraw.

Mr SPEAKER: Order! The Premier has withdrawn. The member will resume his seat.

Mr BEATTIE: I have withdrawn that. Let us be really clear about this. This is an attempted sabotage of AMC. That is what we are seeing today. We are seeing the same sort of negative policy that is sabotaging AMC.

Mr SEENEY: Mr Speaker, I raise a point of order. I find that offensive and below what this House should expect of the Premier.

Mr SPEAKER: Order! The member cannot find it offensive. It was not directed to him. The member will resume his seat. The Premier will answer the question.

Mr BEATTIE: Let us be really clear about what we are seeing here—it is the sabotage of AMC. I want everyone in Central Queensland, I want everyone in Rockhampton, I want everyone in Gladstone to know that this opposition is trying to sabotage AMC. That is what they are trying to do. At a very delicate and sensitive stage for the survival of this project, when they need the support of both sides of politics, the National Party is in here sabotaging AMC. That is what they are doing.

If this project goes down those opposite will wear some of the responsibility. Let there be no doubt about it. The saboteurs are here. I have already spelt out in this House the answer to that question. The Deputy Leader of the Opposition knows that. Why did he ask it today? Because he knows that this project is at a sensitive stage. Rather than try to build this state, they are the wreckers—the saboteurs of a major project.

I will be happy, whatever the outcome, whatever the future of AMC, to go to Rockhampton and, on behalf of my government, stand proud that I tried to built something for our children. Whatever happens, I will be campaigning against the National Party and the Liberal Party—because they are obviously part of this—at the state level on the basis that they set out to wreck this project at a delicate stage in its development.

I am happy to answer this question. I will go through this again lest it be said that I am not accountable. The government's commitment to the AMC project has three elements: the payment of distributions to distribution entitled security holders, DES holders; the Stanwell

Industry Park development deed providing for infrastructure support; and the Stanwell Corporation Ltd through buyer specific infrastructure and a cost overrun facility.

On the first of these the government has not paid any money directly to AMC. The money is paid directly to the DES holders. On this, the government's total commitment, which I have spelt out previously, was $126.78 million, of which $26.78 million has been repaid. Of the remaining $100 million commitment to the state, it is receiving the benefit of any dividend reinvestment. The state is not obliged to fund any distributions when security holders take further shares instead of a cash payment. The list goes on. I have already answered this. I will support any project that guarantees our children jobs.

Queensland Week

Mr LEE: I direct my question to the Premier. Queensland Week is a celebration of everything that is great about Queensland. How are we honouring the Smart State's high achievers?

Mr BEATTIE: I thank the honourable member for his question because today we are announcing the successful Queensland greats. It is a series of awards that we outlined a few years ago because we wanted to ensure that we recognise those great Queenslanders who have made a significant contribution to this state to make it the great state that it is.

Later today I will have the honour of announcing the 2003 Queensland greats. I established these awards in 2001, meeting an election commitment to identify and celebrate Queenslands living legends. The awards are a way of publicly recognising extraordinary Queenslanders and the significant lifetime contribution they have made to our community and the development of the Smart State.

Past recipients have been: Dr Joe Baker, Dr Robert Anderson, Diane Cilento, Sister Angela Mary Doyle, Ted Smout, David Tudehope, Olga Miller, Lawrie Powell, Clem Jones and Wayne Bennett. They embody the Smart State spirit. Today they will be joined by other Queenslanders with vision: Nobel prize winner Professor Peter Doherty, acclaimed author David Malouf, wine industry pioneer Angelo Puglisi, indigenous leader Dr Evelyn Scott and bush legend R. M. Williams. It is fantastic to see him recognised. I will be unveiling artwork celebrating their achievements at the Roma Street Parklands this afternoon.

My hope is that every young Queenslander who walks through the Roma Street Parklands will look at the names of our Queensland greats and be inspired by their achievements. I want all Queenslanders to realise that with hard work, commitment and passion, anything is possible. I would like to thank the judging panel: Marion McMahon; Robin Sullivan; Len Scanlan, the Auditor General; Sister Angela Mary Doyle; Bruce Campbell; Nick Xynias; and Peter Bridgman who faced the difficult task of choosing this year's Queensland greats. Congratulations to all of our Queensland greats for 2003, the Smart State is very proud of them.

The recognition of our outstanding Queenslanders does not stop there. On Sunday, I will announce the Queenslander and Young Queenslander of the Year at a reception here at Parliament House. It will mark the end of a huge week of celebrations throughout the Smart State. It is great to be a Queenslander.

Mr Matt Foley: Youth Up Front Awards.

Mr BEATTIE: I have been reminded by the Minister for Arts that we also have Youth Up Front Awards. The Minister for Arts will be joining me to make this a double banger.

State Budget

Dr WATSON: I refer the Treasurer to his answer to a question asked by the Leader of the Opposition on Tuesday, 27 May in which he predicted 'that our net worth has increased by around $600 million this year', and I ask: is it not a fact that this increase in net worth is totally explained by a revaluation of non-financial assets such as land, roads, schools, hospitals and police stations by over $1.8 billion and without that revaluation net worth would have actually fallen by over $1.2 billion under his financial management? Hasn't the Treasurer simply 'done an Energex' on Queensland's financial accounts? Hasn't he repeated this financial scam in his projections this year?

Mr MACKENROTH: Every single Queenslander who owns a home would know that if the value of their house increases their worth increases. I would have thought that a professor from the university would have been able to understand that.

Regional Universities, Information Technology

Ms PHILLIPS: I ask the Minister for Innovation and Information Economy: what is the government doing to ensure regional universities are plugged in to the same technology opportunities as their city counterparts?

Mr LUCAS: I thank the member for the question. James Cook University is in her electorate and she is tremendously proud of that great institution, which is a world leader in tropical science. It is a great example of the Smart State being not just in Brisbane and the south-east corner but also all the way up the coast. One of the things I am really delighted about as minister responsible for energy and Minister for Information Economy is being able to take into account the convergence between those two areas. I am delighted to announce that our government owned corporation Powerlink is playing a role to help our regional universities do just that. Powerlink has struck an agreement that will deliver a high-speed fibre-optic network between James Cook University, the Central Queensland University and AARNet in Brisbane.

Mr Rowell interjected.

Mr LUCAS: The honourable member had to go to remedial classes to learn how to put rods in the box at school. He might listen and learn a bit.

Broadband capacity as a result of this project will be 60 per cent greater. That means that it will be possible to download data in just one second whereas it used to take one minute. The opportunities are endless. It will mean that a marine biologist in Townsville will be able to operate an electron microscope in Brisbane by remote control to see high resolution images of coral. It also opens up online learning and video conference opportunities.

James Cook University is already teaching honours in IT, and it could not be offered without this technology. The good thing about this is that the fibre that is going across the Powerlink network is in those two lightning wires that go across high voltage cables. They have to be there anyway. It is very inexpensive to lay the fibre along them as well, and that then makes that bandwidth capacity available not only to Powerlink's control systems but also to members of the community. This smart use of fibre will allow AARNet access to 25 per cent, but excess capacity will be able to be sold on a commercial basis.

I thought in finishing that it might be worth while looking at some of the fundamentals of Powerlink, which is a government owned corporation that is extremely well run by Gordon Jardine, its CEO. It has $2.42 billion in regulated assets compared to New South Wales of $2.37 billion or the Victorian privatised entity of $1.68 billion. In terms of its earnings before interest and tax, in 1994-95 it was $105 million and in 2002-03 it was $197 million. So it has almost doubled in the time of corporatisation. In terms of capital expenditure, it is $170 million compared to New South Wales with $150 million and Victoria, South Australia and Tasmania all with $30 million each. Importantly, in terms of operational costs of assets, Powerlink is 2.4 per cent against Victoria's privatised entity at 2.8 per cent—the government can do it just as well—or Tasmania at 4.1 per cent and New South Wales at 4.67 per cent, which is government owned as well. That is what our government owned corporations do. These are the sorts of projects they are involved in that have real benefits for the people of Queensland, without costing any more money, while at the same time paying for schools, police, education and hospitals.

State Budget

Mr QUINN: I refer the Treasurer to his revaluation of the state's schools, hospitals, police stations, roads and land by over $1.8 billion in the last financial year. I also refer to the fact that he has increased net debt by over $700 million during the same period, and I ask: isn't he doing exactly what the Auditor-General warned about in commenting on Energex? Isn't this exactly the same thing that corporate cowboys like Alan Bond did in the 1980s?

Mr MACKENROTH: In answer to the member, no and no.

Fair Trading Laws

Mrs LAVARCH: I understand the Office of Fair Trading has commissioned an independent survey into the compliance of business with fair trading laws, and I ask: can the minister advise if she is satisfied with traders' compliance with weighing and scanning laws?

Ms ROSE: I thank the honourable member for the question. I know that she has a vital interest in fair trading issues. In response to the member's question, no, I am not satisfied with

the level of trader compliance with aspects of the Fair Trading Act. I today call on traders to ensure they are informed about weighing and scanning laws after our survey showed that only 63 per cent of businesses were aware of their obligations. This statistic is of great concern to me and the Office of Fair Trading and shows we have more work to do.

Another concern from the survey is that only 28 per cent of businesses using measuring instruments operate with certified equipment and only 22 per cent check their scanning systems regularly. These figures are just not good enough and we will be ensuring that percentage is improved. Traders need to take responsibility and become better informed of their responsibilities.

The survey results come after a trader blitz uncovered practices by traders including a Gold Coast delicatessen overcharging 15c on each transaction involving prepacked items such as meat, cheese and smallgoods and a Brisbane cinema overcharging 8c per prepack purchase after not deducting the weight of the packaging from the product. Businesses that use measuring instruments should ensure all weighing and measuring instruments used for trade are an approved type, are accurate and have been certified by a trade measurement inspector or registered servicing licensee; check that instruments are being used correctly; ensure goods that have been weighed or measured, including prepacked articles, remain at the correct weight; and ensure checkout scanning systems are accurate and no overcharging is occurring.

Proven overcharging in scanning transactions is a breach of the Fair Trading Act. Office of Fair Trading trade measurement inspectors can turn up at any business at any time. A breach of the Trade Measurement Act or regulations can lead to an infringement notice with fines of up to $450 or prosecution. The maximum fine or prosecution for selling short measure or using an incorrect instrument is $20,000 for an individual and $100,000 for a company. So it is in the trader's best interests to stay informed of the laws. The Office of Fair Trading has produced the *Good Business Guide*, a free booklet containing helpful tips on how to comply with business laws. Traders can obtain this guide by contacting their local Office of Fair Trading on 1300 658 030 or visiting the web site at www.fairtrading.qld.gov.au.

Mr SPEAKER: Before calling the member for Surfers Paradise, I welcome to the public gallery students and teachers from Shorncliffe State School in the electorate of Sandgate. Welcome.

Gold Coast City Council, Transport Plan

Mr BELL: I refer the Minister for Transport to the fact that the Gold Coast City Council transportation plan is an important document but implementation is delayed because the Gold Coast City Council does not have sufficient resources. I ask: does the state government support this plan and will the government assist in its implementation?

Mr BREDHAUER: I do not agree with the assertion that the implementation of the plan has been delayed. There are initiatives which are contained within the Gold Coast City Council's transport plan which are currently being progressed, especially by this government. But I acknowledge the honourable member's question and I acknowledge how important transport issues are for people of the Gold Coast. I know that because Gold Coast members on this side of parliament—from the member for Waterford in the north to the member for Currumbin in the south and all of the members in between—are regularly talking to me. Can I say to the member for Surfers Paradise in fairness to him that he has taken a constructive approach to bringing transport needs in his electorate to my attention since he has been the member.

I could talk about a number of the initiatives that we have undertaken in my time as Transport Minister—the completion of the construction of the M1 between Brisbane and the Gold Coast, the dredging at Coomera, and our government's contribution of $18 million to the Heart of Surfers project. I understand the first stage of that project is approaching closure. I would hope that the state government's contribution would be recognised—the $18 million that we have put in to the Heart of Surfers project—in addition to the almost $4 million that we put into the remaining agreement for roads associated with that project.

Mr Barton: $22 million on the Beenleigh-Kingston road in my electorate.

Mr BREDHAUER: As well as the contribution that the honourable member is talking about.

We have also done work on the Tugun bypass. I cannot talk about yesterday's budget, but I refer the honourable member to page 9 of today's *Gold Coast Bulletin*, which I am sure he has already read. It does indicate that the state government is making a down payment on the transport requirements of the Gold Coast region. We are also progressing issues in relation to the

Gold Coast light rail project, the Robina to Tugun rail extension and a host of other matters that I could talk about. I met with the Gold Coast mayor and city councillors at the community cabinet meeting on the Gold Coast about two months ago. I subsequently agreed to meet with council representatives about three weeks later—many of the members came along—so that I could learn further at first-hand about the Gold Coast City Council's transport plan and those initiatives.

There is an issue with local government transport plans. I applaud them for putting the plans together. The Brisbane transport plan and the Gold Coast transport plan are two good examples that accumulate expectations of substantial investment in infrastructure, which frankly may be beyond the capacity of all governments to contribute—local, state and federal. However, I assure the honourable member for Surfers Paradise and all other members from the Gold Coast that we as a government will play our part in addressing those needs in one of Queensland's fastest growing regions, as we will on the Sunshine Coast, for example. We acknowledge that population growth creates demands on transport infrastructure. As a government, we are determined to do our bit to address those needs.

Technology Access, Public Libraries

Mr MICKEL: In directing a question to the Minister for the Arts, I commend the state government funding for the new Logan West Library to be opened on 18 June, and I ask: can he inform the House how the Beattie government encourages greater access to new technologies and services to similar public libraries throughout Queensland?

Mr MATT FOLEY: The State Library of Queensland provides innovation grants to local government libraries specifically to encourage greater access to new technologies and services at public libraries. I thank the honourable member for Logan for his keen interest in library services. I note in particular that under this program the Logan City Council was awarded $11,404 to provide free adult education and literacy workshops for parents and carers with children under the age of five.

Libraries have a particular role in lifelong learning. That is why the State Library has provided innovation grants in the sum of more than $1 million to Queensland public libraries since 1998. These grants have funded projects and programs that engage a diverse range of clients and enhance the role of libraries as a community service provider. I am pleased to inform the House that this year 14 local councils will share in almost $170,000 to increase access to new technologies and services within public libraries. The applications were judged on their degree of creativity, benefits to clients and the community as well as social and regional impact.

In Maroochy, for example, the shire council was awarded $24,800 to record the historic final sugarcane crushing season at Moreton Central sugar mills. Aptly named the Last Crush, this project will preserve the event as a significant archival record through photographs, film and oral history. In Noosa a grant of $18,800 will help to educate the community in road safety. The program Drive to Learn—Supporting Community Literacy through Road Safety Education will encompass a web page and virtual driver centre featuring a 'floppy jalopy' smart car.

The Caloundra City Council will implement lifelong learning initiatives thanks to a grant of $23,800. The projects will target seniors, the indigenous community, children, young people as well as the overall library community. Properties of significant historic and cultural value in the Beaudesert shire will be recorded in film documentaries thanks to funding of $5,645. I am pleased to inform the House that the Gold Coast City Council will encourage young people to connect with local libraries by producing a web site, public performance and CD featuring local literary and musical works. The Mackay City Council will be supported to establish library services specifically for Australian South Sea Islanders.

This is all about trying to ensure that our libraries engage with the community in innovative ways. We need to reach out to build diverse audiences, not just have the usual suspects using libraries. We need to ensure that the significant funding that the state government makes available through the State Library to those local libraries reaches as far as it can.

Nurse Registration

Ms LEE LONG: I refer the Minister for Health and Minister Assisting the Premier on Women's Policy to the fact that we are all aware of the acute shortage of nursing staff in our public hospitals across Queensland. Ultimately, I understand it is the individual responsibility of nurses to renew their registration with the Queensland Nurses Registration Board by the end of each financial

year. Without registration, they are unable to practise nursing. We all know what a terrible impact losing any proportion of nursing staff would have on the already inadequate health services provided by this government. I understand that many nurses have not yet renewed their registrations because they have not received the necessary forms from the board. I believe the normal course of events is for the board to send the paperwork to the nurses in plenty of time, but that has not happened this year because of a mail-out problem, and I ask: what is Queensland Health doing to rectify the situation to ensure that our enrolled nurses are able to renew their enrolments in time to remain practising within the Queensland Health system?

Mrs EDMOND: The Queensland Nursing Council is an independent body. It is self-funded by the nurses to carry out those responsibilities through the registration fees. I understand that recently—although it has been misunderstood by some in the media and I have not seen it—they have been having an advertising campaign to reinvigorate registration and encourage nurses to get their registrations in, and to make sure that people know the nurses treating them in our hospitals are registered. I will pass on the member's concerns to the Queensland Nursing Council, but it is not a matter for Queensland Health to send out the registration forms.

Q-Fleet

Ms STONE: I ask the Minister for Public Works and Minister for Housing: can he inform the House what economic and environmental benefits Q-Fleet continues to deliver for Queenslanders?

Mr SCHWARTEN: I thank the honourable member for her question and her interest in Q-Fleet. The fact of the matter is that every Labor member knows that, had not the Premier become the Premier in 1998, Q-Fleet would have been out of the hands of Queenslanders. There is no doubt about that whatsoever. One of the first things brought to me was a document from the director of Q-Fleet outlining that it was with the Macquarie Bank ready for privatisation. That is what would have happened had the Tories won the election in 1998. With a great deal of delight, I have had some research done into it to see what it is worth to Queenslanders. The net worth of Q-Fleet to Queensland is $82 million. Had it been privatised, like Dr Watson was going to do—

Dr Watson: No.

Mr SCHWARTEN: Yes, he was, and the documents prove that was the case. The member was the minister before me.

Dr Watson: Show me my signature on it.

Ms Spence: You wanted to privatise public housing.

Mr SCHWARTEN: He did, too. He is the prince of privatisation, and he has to face up to it. The reality is that $36 million would have gone out of this state. No wonder he asked that idiotic question this morning of the Treasurer, if that is his sort of voodoo economics. I reckon he will get sued one day by some of the students he taught at the university. I would be taking out a big professional indemnity premium, if I was him, and I would be getting some reinsurance, too.

The side benefit is that—

Dr Watson interjected.

Mr SCHWARTEN: The member should not think that he is becoming any clearer or more sensible by his constant squawking at me. The other side effect, of course, is that we buy Australian made vehicles and they are bought through Queensland dealers. None of that would have happened had they gone out of the state.

The other thing that the member for Noosa would be very interested in knowing, as she was recently involved—as was the member for Kawana, Chris Cummins—in planting some of the 216,000 trees that Q-Fleet has sponsored as part of its corporate responsibility. Because we have contaminants getting into the atmosphere, we ensure that we play our part in trying to revegetate some damaged areas. The other thing is that we have 864 full-time jobs as a result of Q-Fleet which would have gone, had Dr Death over there—

Time expired.

Gympie Hospital

Miss ELISA ROBERTS: I direct a question to the Minister for Health. I have been approached by nursing staff at the Gympie Hospital to ask the minister why a number of part-time

and casual nurses are being cut by up to 60 per cent to 70 per cent and being replaced by agency nurses? Employing agency nurses could be understood if nursing staff were on leave or in short supply, but this is not the case. I ask the minister: will she provide an explanation as to why money is being spent on agency nurses rather than permanent nursing staff?

Mrs EDMOND: The management of the nursing staff is, of course, something for the everyday management of the hospital. I will check with them why they are doing that. Certainly, the member is right; in many cases, the employment of agency staff is far more expensive than having either permanent part-timers or a casual pool, which is what most of the hospitals are doing. As the member heard me say previously, Cairns Hospital is going to save $1 million by employing 50 extra nurses, but it will have them in a permanent pool rather than use agency nurses. That is $1 million extra a year saved by Cairns Hospital.

That is the sort of thing that we are looking at in terms of how we can make our hospitals more efficient. At Gympie Hospital, I am not sure if the people available are prepared to be in a temporary pool or how they will work. I am happy to take up that question and ask it.

I am also sure that the member for Gympie would have been delighted with the publicity about Gympie Hospital this week. That hospital has shed the fact that it had more junior staff than senior staff with all of the extra senior positions filled for probably the first time in many years—and the extra dentists. This week there were reports in the paper of all of the extra, wonderful things that are happening in Gympie.

Teachers

Mr REEVES: I direct a question to the Minister for Education. I ask: what is the state government doing to recognise and reward teachers who are at the forefront of their profession?

Ms BLIGH: I thank the honourable member for the question. In Queensland—here in the Smart State—we are lucky to have some of Australia's best teachers. Last year I was delighted to announce two new scholarship programs that would reward and recognise those schoolteachers who go above and beyond and who are recognised as leaders in their fields.

These scholarships, the Premier's Smart State Teacher Excellence Scholarship and the Westfield Premier's Educational Scholarships, which are sponsored by the Westfield Corporation, were awarded to 10 of our best teachers. Five of the Premier's Smart State scholarships, which were each worth $25,000, were allocated to recognise and reward state school teachers who have inspired their students and peers towards lifelong learning. Each of the recipients receives up to three months off work on full pay to undertake professional development activities. This is a new feature of Education Queensland's teacher professional development and the prize money covers costs such as tuition, travel and accommodation during their study sabbatical.

The Westfield Premier's Educational Scholarships, each worth $24,000, went to five high school science teachers to pursue further studies overseas in their area of excellence. I thank Westfield for their sponsorship and support. I am pleased to advise members of some of the outcomes of last year's winners. Their journeys have been diverse but united by a common purpose to make a difference to students' lives through education.

One of the winners was from Mansfield State High School—science teacher Vinesh Chandra—in the electorate of the honourable member who asked the question. Vinesh Chandra was the first of the winners to travel overseas as part of this Smart State scholarship. His paper on e-learning received an enthusiastic response at the Third International Conference on Science, Maths and Technology held in South Africa. The conference allowed him to establish strong links with like-minded educators from around the world, and no doubt he will bring that experience back into his classrooms. These links have already led to Vinesh Chandra being invited to join an international online learning research project currently being run by Hong Kong University.

In April, the Smart State scholarship winner, Joy Pohlner, from Cannon Hill State School, attended the National Art Educators Association convention in the United States. She also visited the Harlem Community School in New York, which is highly regarded for its community art initiatives. Ms Pohlner is a pioneer of Queensland's primary art network—a body of primary school art teachers who assist with learning and development support and research in schools.

Mackay North State High School history teacher, Mike Goodwin, is the inspiration behind the Lest We Forget program. Under the scholarship, he visited Thailand to learn more about the Anzacs who built the infamous Thai-Burma railway. His findings will form part of a new commemorative studies package which will soon be available in all schools.

These scholarships celebrate the great work of our teachers and make sure that they get the recognition that they deserve. Applications for the 2004 round of scholarships will open in the next few weeks. I encourage members to promote them in their schools and encourage those teachers they know who go above and beyond to put their names forward.

Police Liaison Officer, Dalby

Mr HOPPER: I direct a question to the Minister for Police. I am sure that the minister will agree with me how good the police liaison program is. Will the minister explain why, despite committing to do everything that he could in 2001 to provide PLOs to Dalby, the Dalby community and Dalby police are still left without this very good program?

Mr McGRADY: I thank the member for the question. PLOs do a tremendous job right around the state. The reason that we introduced PLOs was, as the title suggests, so that the police could liaise with the local community, particularly the indigenous community. We will be providing PLOs. We want to expand the program. There are many, many areas that want the services of PLOs, just as there are many areas that want police beats and shopfronts. Police beats are proving to be extremely successful. Not only are they providing a physical presence in the community; in every instance where we have established a police beat, crime is tumbling down. In the financial year that we are working in now, we set up more police beats and shopfronts than we had actually budgeted for. The same thing will apply next year.

It is the same with PLOs. We have a great demand for these officers. They are doing an excellent job. The member has made representations to me about a PLO and so, too, have the members of the indigenous community in his area. Like everything else, we accept the requests. At the appropriate time we will make the appropriate appointments.

Queensland Police Service, Bali Terrorist Attacks

Ms MALE: I direct a question to the Minister for Police and Corrective Services. Can he outline how Queensland police played a role in the wake of last October's horrific Bali nightclub bombings?

Mr McGRADY: I thank the member for the question. As I mentioned yesterday, this afternoon I will be going to Chandler to welcome 105 new recruits. Seventy-four of those recruits graduating today are completely new to the world of police. Thirty-one are officers who have served in other jurisdictions both here in Australia and overseas. When I see these figures today, my mind goes back to a question that was asked of me by the opposition some months ago. The question implied that there was a mass exodus from the Queensland Police Service to the Federal Police or other places. When I see that almost one-third of the people who are graduating today have come from other parts of the Commonwealth or other parts of the world, it suggests to me that people want to come and work for the Queensland Police Service and want to be a great asset to this state. So the member who asked me that question should revisit what he was saying at the time.

I am always pleased to see people being recruited by the Queensland Police Service, because we have a commitment that we will employ 300 new police officers every year. We are certainly doing that. But today is a special occasion, because at the induction ceremony we will be presenting several awards to people for bravery and dedication to their duty. Fifteen police officers will be given certificates of appreciation for their efforts in Bali after last year's terrible act of terrorism. In the horrific aftermath of those nightclub bombings, Queensland police were called on to assist in the task of body recovery and identification of victims of this terrorist attack. Along with other jurisdictions, we sent officers of the Queensland Police Service to do that terrible job of trying to identify bodies that had been burned. In fact, that is where DNA played a very useful part. Those men and women who went had to go through the rubble and search out and identify those bodies.

That should demonstrate to everybody in this place the role of the police officer. It is not just a matter of being on traffic duty; it is not just a matter of pounding the beat. It is a matter of going in to serious situations such as the one that occurred in Bali where these men and women had to try to identify those bodies. This afternoon we will have the opportunity of rewarding and recognising those police officers for the way in which they represented our state at that horrific time in the history of this nation.

Fire Ants

Mr ROWELL: I refer the Minister for Primary Industries to the Fire Ant Eradication Program and the regulations that have been set in place by his government. I ask: has the gardening and nursery section of Woolworths complied completely with the standards set by the state government? If not, what action is the minister's department taking against Woolworths to ensure that it complies?

Mr PALASZCZUK: I would like to thank the honourable member for the question. It is very serious. I take it that the opposition is fully in support of our Fire Ant Eradication Program because, if we continue the action that we are taking in the local Brisbane area to eradicate fire ants, we will not have the problem extending further into our rural areas which, of course, is the last thing that we want to happen.

The honourable member asked about some of the programs that we have in place. I can report to the House that as far as I am concerned, the program in the homes—in the backyards and in other areas around Brisbane—is going according to plan. We have a number of other issues such as our fire ant management plans that are in nurseries and in supermarkets. For all intents and purposes, they are proceeding according to plan. The reports that I have had up until now are that there have been no problems. However, since the honourable member has mentioned the Woolworths company, I will certainly inquire into that and I will get back to the honourable member when I have that information.

Black Sigatoka

Mr PITT: I refer the Minister for Primary Industries and Rural Communities to the detection of black sigatoka in the Tully banana production area in 2001 and the threat that this disease, if unchecked, would pose for the industry. I ask: can the minister update the House on the progress towards eradicating black sigatoka?

Mr PALASZCZUK: I would like to thank the honourable member for the question. I am very pleased that this is the second question that I am receiving in this House this morning.

The prospect of declaring the Tully banana production area free of black sigatoka is looking much brighter than it was a few months ago. The discovery of black sigatoka in the Tully area of north Queensland in April 2001 prompted a multimillion-dollar eradication campaign, which has now entered a monitoring and surveillance stage.

The last detection of plant material infected with the disease was in November 2001. We have had an interstate technical working group reviewing the eradication campaign and we are now awaiting the final report of an independent audit. The Department of Primary Industries will soon be contacting other state agencies to gain their acceptance of the Tully banana production area as having area freedom status.

I would like to acknowledge the strong leadership role that the Queensland banana industry has taken in an effort to eradicate black sigatoka. The Black Sigatoka Eradication Campaign has been a leading example of a successful combination of technical and scientific skill provided by the DPI and a practical approach led by the industry at both the local and the state level. In more recent times, the industry has taken the lead role in the eradication campaign, coordinating and monitoring staff and providing a vital link between these staff and growers in the paddock. Industry leaders have also been vocal in their support of DPI officers and their efforts to ensure full cooperation and 100 per cent compliance.

It is very fitting that the member for Mulgrave asked me about the banana industry, because I can announce today a lucrative export agreement with Taiwan for banana packaging and bagging technologies developed right in the Innisfail area. Robert and Lesley Sapuppa of Daradgee Welding Works and Bill Seawright of IBS Engineering Supplies began negotiations with the Taiwan Banana Research Institute following a trade mission to Australia in November 2001. The Taiwan banana industry has an export contract with Japan for five million boxes a year. However, due to the soil disease Panama Race 4, it has been able to supply only 1.5 million boxes. So what has happened is that we have had Smart State technology. We have our researchers from the DPI working with officers of the Department of State Development within the industry to prepare a package for the Taiwanese industry, which of course will help them supply the bananas to the lucrative Japanese market. So it is good news for Queensland.

AusLink

Mrs LIZ CUNNINGHAM: My question is directed to the Minister for Transport. I am advised that the Commonwealth AusLink plan will not affect current projects or projects with confirmed funding over the current three-year Commonwealth forward estimates period. Have decisions been made on the recognition of the national network? In light of statements made by Commonwealth members such as 'obviously that network will need to concentrate on the most important links and be something the Commonwealth can cope with in terms of the investment it will need to make in partnership with the states and others', what is the likely impact on Queensland Rail?

Mr BREDHAUER: I thank the honourable member for the question. In a ministerial statement I made in the parliament earlier today I alluded to the meeting of the Australian Transport Council in Melbourne on 23 May. That meeting and the discussions between ministers at that meeting in relation to AusLink marked what I would regard as something of a sea change in the Commonwealth's attitude to the whole AusLink proposal. The federal minister, John Anderson, was far more conciliatory in his approach to the states and territories in relation to AusLink. He did indicate that one of the considerations the Commonwealth was taking seriously related to the number of commitments it had made, in its forward estimates and in other agreements with various states and territories, which would substantially lock up large parts of the National Highway budget for the future.

I welcome the change of heart by the Commonwealth. I welcome the opportunity for the states and territories to cooperate with the Commonwealth to see if there are ways in which we can improve funding for land transport, including road and rail, in Australia and develop a truly national transport plan. I reiterate that Queensland and all of the states and territories believe that the Commonwealth should retain responsibility for the National Highway network and for its maintenance.

In respect of rail, I do believe that there needs to be recognition of the freight significance of rail corridors in Queensland, which previously were unrecognised in the Commonwealth government's green paper on AusLink. Work has been undertaken in that regard, and a meeting of directors-general of transport departments around Australia is due to take place next week, I think, so that work on the nationally significant freight networks can be done.

At this stage the Commonwealth has put forward a draft. The methodology behind determining that draft is not known by me or by other ministers at state and territory level. It does appear that the Commonwealth is prepared to recognise that Queensland does have nationally significant road and rail freight corridors north and west of Brisbane. The member might recall that in its original manifestation it had drawn the Brisbane line, as I called it. It said that we did not have any nationally significant road or rail freight corridors in Queensland north or west of Brisbane, which is just absurd.

I have to say that I welcome the change of heart from the Commonwealth. Queensland has always indicated that it is prepared to work with the Commonwealth. However, there are certain matters on which we will not move, and that relates in particular to the need for the Commonwealth to maintain responsibility for National Highway upgrading and maintenance.

Mr SPEAKER: The time for questions has expired.

PARLIAMENT OF QUEENSLAND AMENDMENT BILL (No. 2)

Second Reading

Resumed from 15 May (see p. 1960)

Mr SPRINGBORG (Southern Downs—NPA) (Leader of the Opposition (11.30 a.m.): At the outset I indicate that the opposition will be supporting the Parliament of Queensland Amendment Bill (No. 2) 2003. I acknowledge that the Premier introduced this bill into parliament. I also acknowledge the willingness of the Premier to do a very important thing—that is, to respect the role of parliamentary committees in this place.

As all members will remember, the other night we had a debate in this place on a notice of motion which tried to overturn a decision made by that particular parliamentary committee at an earlier stage. I think I can say that the Premier—as I do—respects the role of parliamentary committees. We just cannot choose to refuse or ignore a recommendation of a parliamentary committee because it does not suit the political parameters of the day. What is the point of

having a parliamentary committee look at particular issues and make recommendations if at some future time we turn around and completely ignore them?

The committee which I am referring to was the Select Committee on Parliamentary Entitlements, which was established in the previous term. I would like to draw the attention of honourable members again to the report of that particular committee. That is what we are acting on here today: a report of a parliamentary committee which comprised nine members of this place and was not dominated by the government. The committee comprised four government members, including the Treasurer, the Speaker, the Premier and the Deputy Premier, two members of the then opposition, the leader Rob Borbidge and the deputy leader David Watson, and three other members, including two Independents—Mrs Cunningham and Mr Wellington—and Mr Feldman, the then leader of the One Nation Party.

It was a genuinely bipartisan committee. I am sure the Premier would agree that it was a genuine bipartisan committee of the parliament. It was not dominated by the government. There were four members of the government, two of the opposition, two Independents and the Leader of One Nation who made the recommendation which basically gave birth to the legislation which we are debating in the parliament today.

What is that legislation about? The legislation is about addressing an anomalous situation which was identified by that committee at that time. That has not changed. It just so happens what we are debating today will affect the Leader of the Liberal Party, but it may very well affect at some future time the leader of some other party. Previously it would have affected the Leader of One Nation as well as the Leader of the Liberal Party.

What it basically sought to do was overcome the current definition of an office holder of this parliament in so far as the leader of a recognised party is concerned. The current situation, as I understand it, is that a party is recognised officially if that party has 10 members in parliament. What this bill before the parliament seeks to do is recognise the recommendation of that select committee which says that a party should be recognised if that party has more than 10 per cent of the vote. What is wrong with that? It was there to overcome anomalies that happen sometimes in our system, and that is that a party can sometimes get over 20 per cent of the vote and not necessarily gain more than 10 per cent of the seats.

What has fundamentally changed in the last two or three years? Not too much. Playing petty politics with this really will not behove us very well at all. It might be today that this legislation recognises a particular problem which is alien to the Liberal Party, but prior to the last election it was an issue for the Liberal Party and the One Nation Party. As I said, in the future, five or 10 years down the track and after two or three parliamentary terms, other parties who might be in a reasonably dominant situation in this parliament at the moment, through the way that the electoral system works—whether it is the vagaries of 'just vote one', whether it is the vagaries of what happens generally with regard to electoral cycles, where a party enjoys a significant number of votes but does not necessarily achieve that trigger point of 10 seats in parliament—might be affected. This legislation is about addressing a problem that has existed and has been quite properly identified in this parliament by an all-party parliamentary select committee—not only all-party but also comprising Independent members as well.

I commend the Premier for recognising his duty in adhering to the parliamentary committee process. I commend the Premier also for the open way in which he listened to me when I saw him about this issue. I said that we had an issue which was outstanding in that select committee report. I know that these things are open to the vagaries of politics; I respect and understand that. But we have to strip politics out of this because we are addressing this not only to deal with an issue which is apparent now but also an issue recommended prior to the last election—an issue that was apparent to two political parties, not just one. It may be apparent to more political parties at some future time. That may very well be the case because a party might be up there at one moment in time and it may be down here at another moment in time.

Another thing that we need to reflect on and also understand is that parliaments operate in interesting ways. We have Independent members and we have members of political parties. Whilst I suppose it is not unique to parties today because there are now more Independents, parties have a discipline associated with them. Also within a particular party are people who are responsible for specific areas, responding with their party's viewpoint about the way policy is being made in the state and stating their alternative view. Often recognition and resources need to go with that as well. That has always been a part of our parliamentary process and should always be.

I would urge members of parliament today to desist from playing politics with this. Sure, there are grandiose headlines that can be reported about it, but I would remind people once again that this was quite properly considered by an all-party parliamentary select committee comprising Independents as well in the last term where those people sat down and quite properly took submissions and considered this in the cool light of day. They considered this in an extremely bipartisan way and made some recommendations which deserve to be implemented by this parliament. Today they are going to be implemented by this parliament for good reason.

It is not good, I believe, just to change your mind because of some of the political vagaries of the day. If we are going to discard properly considered views of parliamentary committees, then why bother having them at all? The opposition has no hesitation whatsoever in supporting this bill before the parliament because it grew out of a proper process. Not only does this legislation fix an existing issue; it fixes future issues which quite properly need to be considered as well.

Mr SPEAKER: Order! Before I call the next speaker, I welcome to the gallery teachers and students from Corinda State School in the electorate of Mount Ommaney.

Hon. J. FOURAS (Ashgrove—ALP) (11.41 a.m.): I am pleased to follow the Leader of the Opposition in this debate on the Parliament of Queensland Amendment Bill (No. 2). I agree with him that this bill reflects the spirit of the select committee's recommendations. As the Premier said in his second reading speech, it also addresses the government's concerns about one aspect of the recommendations. That is why that was not implemented the last time the bill came before the House. I think it is important that that be understood.

Independent members of this House apparently do not want to accept this basic fundamental fact. The Leader of the Opposition said that it is easy to play politics when it comes to these matters. Although I could be accused of playing politics, I want to remind members opposite how the opposition was treated in days gone by. In 1973-74, when the Labor Party had 32 members in this chamber, staffing for the opposition consisted of a private secretary, a press secretary, a stenographer and chauffeur. The cost of providing those services to the opposition was 1.3 times the salary of the Leader of the Opposition at that time. In the next budget there is funding of $2.4 million for the opposition, which is something like 17 times the salary of the Leader of the Opposition. I think it is important that that be understood.

I remember that in my young days, when I was a young socialist and very committed to the Labor Party, I had a barbecue at my house for a company called Bank on Burns so that two young solicitors, Lorenzo Buccabella and Mark Plunkett, could be paid on a part-time basis to work for the Leader of the Opposition because he had no research facilities.

When I became Speaker I refurbished opposition offices. That was an extremely good refurbishment. I remember the times when we were sent to Edward Street so that our office could be away from parliament and away from the resources of the Parliamentary Library. The then Premier actually thought it was disgraceful that the Parliamentary Library provided assistance to opposition members. What was more disgraceful was that it provided assistance to his own backbench so that they would get up in the joint party room and debate what they wanted to do. I think it is important to put that on the record.

It is amazing not only that there is an extra $500,000 in the budget for the opposition but also that we are going to make sure computer links and office equipment are made available. I want people to remember that. Parliament needs to work properly. For the parliament to work properly, it is important that the opposition is well researched. It is important that we have access to the Parliamentary Library. That is fundamentally important. The debate is only as good as the research we have. I remind members opposite that there was a time when the game was not played to that degree.

I congratulate the Premier. All the time he has been here he has understood the fundamental of making sure the opposition is part of the democratic process.

Mr Springborg: Rob Borbidge did, too.

Mr FOURAS: I agree. I think he was less generous than our Premier. I respect the address given by the Leader of the Opposition. His understanding of the spirit of the select committee's recommendations is the same as mine. There has been some debate in this House to the effect that this is an attempt to get at the Independents. I do not think they should read that into this. I conclude by commending this bill to the House.

Mr WELLINGTON (Nicklin—Ind) (11.43 a.m.): I rise to participate in the debate on the Parliament of Queensland Amendment Bill (No. 2) 2003. At the outset, I record my opposition to

the proposed salary increase of $23,387 for Liberal Leader Bob Quinn. There is no justification for this salary increase. My research reveals that this is the first time for many years that we will have the leader of a political party recognised as the deputy leader of the coalition not also being the Deputy Leader of the Opposition.

This history making event is going to cost the Queensland taxpayers twice—once for the salary of the Deputy Leader of the Opposition, the member for Callide, and again for the salary of the Liberal Leader, the member for Robina, who is now the deputy leader of the coalition. What a sham. The Deputy Leader of the Opposition and deputy leader of the coalition are one and the same. Without the title 'deputy leader of the coalition', the member for Robina would not be eligible for the salary increase of $23,387 as Liberal Leader.

Let us look closely at the Premier's justification for the proposed salary hike. First the Premier said that the salary rise is a result of the re-forming of the coalition. But if this bill is adopted the member for Robina will continue to receive the $23,000-odd even if the coalition falls apart. This is setting a costly precedent that the taxpayers of this state will have to fund. Secondly, the Premier says that he is attempting to provide extra resources to the opposition so that it can lift its game.

While the Premier might prefer to have the opposition land a few body blows on the government benches, he does not have a mandate from the people of this state to prop up the opposing team. That is not playing fair and it is patronising in the extreme. While the taxpayers of this state want to see fair play on both sides of the House, I am sure they do not want to see the opposition propped up, particularly with their taxes. This bill does not provide additional resources to the Liberal Party. It does not provide any benefit to Queenslanders. All it does is put more money in Bob Quinn's back pocket. I note that he is not even present in the chamber during the debate on this very important bill.

The government certainly does have a massive mandate to govern. I remind the Premier that members who sit in this House were elected freely by the people of Queensland. Queenslanders chose to put 66 Labor members, 12 National members, six Independent members, three Liberal members and two One Nation members in the House. That is the reality. If Queenslanders are not happy with the performance of the opposition or any member of this House—

A government member interjected.

Mr WELLINGTON: I would like members of the government to be quiet while I am speaking. I do not interject during their contributions. They should allow me that courtesy. This is an important bill. If members want to speak they should take their position on the speaking list.

Mr SPEAKER: Order! Remarks should be directed through the chair. I remind the member for Nicklin that while I am sitting in the chair I will make those decisions.

Mr WELLINGTON: Thank you, Mr Speaker. If Queenslanders are not happy with the performance of the opposition or any member of this House they are free to make their feelings clear at the next election. For the Premier to throw taxpayers' money away on a salary hike for the Leader of the Liberal Party is to throw good money away. With respect, if the Premier has extra cash he can direct it to the many projects in my electorate that I and my constituents believe are far more worthy than a $23,000-odd salary increase for Bob Quinn to increase his bank account.

How could lining the Liberal Leader's pockets improve his ability to score points against the government? The only people to believe such a fairytale are the fairies at the bottom of the garden. Let us stop playing games. The Premier has already admitted in this House that the criterion that was used to designate a recognised political party by the 1998 parliamentary entitlements committee was flawed. In the Premier's own words—

> Such a definition could produce the absurd result whereby recognised political party status could be granted to a party which might have only one or a few party members remaining in the Legislative Assembly. It would be possible, under the select committee's definition, for a single remaining party member in the House to receive additional salary benefits as the leader of a recognised political party, and other recognised political party benefits would also accrue.

The Premier did not accept the select committee's definition of a recognised political party as the suggested definition was, in his words, capable of producing absurd results. It jolly well was. I was a member of that select committee and I agree 100 per cent with the Premier. We got it wrong. I am not too proud to say that we did get it wrong. Nothing that has been said in this House either today or during the debate last week on my motion to refer the matter to a select committee has changed my mind.

When the coalition was re-formed the Leader of the Liberal Party was able to tap into the considerable resources of the opposition, yet he does not have the responsibilities of the Deputy Opposition Leader but instead is listed as deputy coalition leader. Queensland taxpayers are now expected to pick up the tab for the salaries of both the Deputy Opposition Leader and the deputy coalition leader because he is now in coalition and is recognised as the Leader of the Liberal Party with the accompanying salary bonuses. What a disgrace! Two members on the same salary and both with the same access to resources.

Under the Premier's proposal referred to in this bill, a recognised political party is a registered political party of which at least 10 per cent of the number of assembly members are members—that is, nine members of parliament—or at least three of the members of parliament are members and at the most recent general election the total number of first preference votes for all candidates who are party members was at least 10 per cent of the total number of first preference votes for all candidates. I put to members the following interesting scenario: under those rules, if the Nationals had just eight candidates elected to parliament but managed to score, say, seven per cent of the vote, it would not be eligible for party status and the relevant resources that come with the job. But—and this is the interesting part—the Liberals with perhaps, say, three members and with more than 10 per cent of the primary vote would be a recognised political party. This could mean that the Liberals with party status could then be—who knows—the official opposition.

I advise National Party members to think carefully before they support the bill. I note that the Leader of the National Party and Leader of the Opposition, the member for Southern Downs, has already said that he is going to support the bill. I reinforce my statement made in the House last week that the definition of a recognised political party is clearly wrong. If this bill is supported, I believe it will set a very dangerous precedent. I urge the leaders of the relevant parties—that is, the Premier, the leader of the Liberals, Bob Quinn, the leader of the Nationals, Lawrence Springborg, and the leader of One Nation, Bill Flynn—to allow their members to exercise a conscience vote on this and allow all members to consult further with their respective constituents.

I now take the opportunity to respond to the scurrilous allegations made against me by the member for Stafford during his contribution on the debate last week, and I am pleased that he is in the House to hear them first-hand. In response to the member's questions as to why I wanted to overturn the 1998 recommendation of the select committee's report, I repeat again: I am not too proud to stand here and say that I got it wrong. We all got it wrong on that committee. We got it wrong with the recommendations, and I refer the member for Stafford to the Premier's own acknowledgment of the absurd result that that committee's recommendation could lead to. This is not 1998 revisited. There were then nine Liberals and today we have three, and two of the current Liberals have already said that they are not going to recontest their seats in little over 12 months at the next election. Today the Independents outnumber the Liberals two to one with no additional resources or salary entitlements, and I remind members that we are not asking for any.

A further allegation I wish to respond to made by the member for Stafford was the innuendo that I condoned rorts by local government councillors. For the record, I certainly did not. When I was a Maroochy shire councillor I donated thousands of dollars from my council salary to buy and then donate trees to my constituents. I also donated the entire salary from the Caloundra and Maroochy Water Board, which I was a member of, to the Baroon Pocket Dam fish breeding program. For the record, can I say that I am disappointed with the member for Stafford's attempt to discredit me during the debate instead of focusing on the substance of the issue, the substance of the motion at hand. I would have thought that the member for Stafford, after his years of experience in this House and in light of his current position with the government, would have spoken more responsibly to the motion then being debated before the House.

I also note that the agenda for government business considers that the Liberal leader's increase in salary is far more important than a range of bills introduced prior to it. For the purposes of *Hansard*, I refer to the Evidence (Protection of Children) Amendment Bill introduced on 13 May, the Chemical, Biological and Radiological Emergency Powers Amendment Bill introduced on 23 April and the Corrective Services Amendment Bill introduced on 25 March, to name just a few. In light of my request for members to be able to exercise a conscience vote on this bill, I move—

That the question be amended by omitting the words 'now' and adding at the end of the question the words 'on the 9th September 2003'.

By supporting this amendment, members will have an opportunity to go back to their parties to further investigate the implications of the Premier's proposed bill and also consult with their constituents further on this bill.

I note that the member for Ashgrove referred to staffing and resources for the opposition. Can I repeat for the member for Ashgrove and other members that this is not about increased resources. This is about an increased salary to one person, to a leader. It is not about resources; it is salary to a person. The member for Southern Downs spoke about the power and the importance of an all-party committee. That was the very substance of the motion that I moved last week—that is, that we have respect for the all-party committee system that this parliament has. Our motion was to refer the issue to an all-party committee. I commend the amendment to the House.

Mr BELL (Surfers Paradise—Ind) (11.55 a.m.): I rise to second the amendment moved by the member for Nicklin and, in doing so, say that it gives me little pleasure to stand to speak on this matter. I have great respect for the leader of the Liberals, Mr Bob Quinn, to whom this bill, if passed, would immediately apply. He is competent. He is hard working. He is experienced, having served in cabinet, and he has done a brilliant job in this House in this term of parliament with only three members and very limited resources. That said, however, I must say that I cannot see that the Leader of the Liberal Party is deserving of a pay rise at this time, particularly as now he is a frontbench member of the opposition he is already entitled to an increase by way of a non-accountable allowance of some $5,500 per annum. As the honourable member for Nicklin said, the position of the Leader of the Liberal Party has now changed materially and it is more than arguable that calls on his time and the responsibility which he now has have diminished rather than increased now that he is deputy leader of the coalition, for he no longer needs to be across all issues as he was formerly, he has the assistance of colleagues and shadow ministers, he is able to share in the resources of the opposition, and he certainly has much greater shared workload and responsibility.

It is obvious to say that I was not here in October 1998 when the select committee came forward with its recommendation. But I must agree that that committee got quite wrong the second leg of its recommendation. I accept the Premier's statement that this bill that he has introduced into this House is intended to fulfil the spirit of that select committee and its report in 1998. But I ask why, in seeking to fulfil that spirit, a number of three members of the House to comply with the second leg has been selected. Why has three been selected? Why has not two been selected or why has not six been selected as the number of members which a party receiving 10 per cent of the vote must have in this House?

It seems to me looking at it as objectively as I can that the selection of three members in the House for the second leg to apply is contrived. It is contrived to accommodate the Liberal Party, which just happens to have three members in this House. It is tailor made for that situation. Yet this is legislation, as the Leader of the Opposition says, that is intended to apply henceforth to all future parties. In that case, why is the magic number of three selected? There is no argument put forth by the Premier or by members of the Labor Party as to why three is selected other than the fact it just happens to accommodate the present Liberal Party.

Therefore, in seconding the amendment moved by the honourable member for Nicklin, I would like to see the matter further debated within the existing parties and also taken out into the electorate. I see that the second leg previously was flawed. I do not want to be party to the passage of legislation which probably has a flaw in its second leg again.

It is very true what is said by the member for Nicklin, that the National Party after the next election could have fewer than 10 members in this House and might receive fewer than 10 per cent of the vote. Today that might seem to be somewhat fanciful, but I think it is an understatement to say that politics is uncertain. It might have been fanciful in 1998 when the select committee came forward to say at that time that the Liberal Party would have three members in this House today. It is unfortunate that this matter has not been able to go to an all-party select committee again for consideration before being voted on in this House. I supported the motion last week of the honourable member for Nicklin and I support his amendment today.

This second leg definition requires further consideration. It could lead to a flawed result. It may be intended in all good faith to reflect the spirit of the select committee of 1998, but in actual fact just as the second leg of that definition of that committee was flawed so, too, I submit, is flawed the second leg of the definition contained in the bill before us today. This is not a party issue. I repeat what was said by my colleague on my immediate right: advancing the salary level of one individual does not enhance the resources of the opposition. I do not begrudge the opposition further resources to perform the task of opposition. To that extent, I do not agree with the honourable member for Nicklin. But I certainly agree with him that this matter should be

postponed and I would certainly like to see a conscience vote at a later stage. We do not need to pay salaries for two deputy positions.

This bill, if passed, will embed in concrete a definition of a party for future times. I say: let us give it more thought. Let it be reviewed again by a select committee which has not reviewed the second leg definition before us today, otherwise the matter may come back to haunt us in future parliaments.

Mrs LIZ CUNNINGHAM (Gladstone—Ind) (12.02 p.m.): This bill relates to a significant wage rise, as has been said earlier, of $23,387 proposed for a position which only three months ago appeared ineligible for that rise. The party numbers remain the same—three Liberal members. The change which appears to have been used to justify the increase is the reamalgamation of the Liberal and National parties. Those members of the community who have spoken to me have indicated they are unconvinced. They have not criticised the Leader of the Liberal Party, but they cannot understand how at this juncture this increase can be justified. A newspaper article stated—

Premier Peter Beattie, who agreed to the pay rise and introduced the legislation, said Mr Wellington had sat on a 1998 committee which recommended a party which obtained 10 per cent of the primary vote would be recognised.

He said he delayed introducing it because the Liberal and National Parties fell out after the last election and only recently reformed a Coalition.

'He is the leader of the Liberal Party which happens to be the same party as the Prime Minister,' said Mr Beattie.

'It also means that his party got over 10 per cent of the vote.

Those statistics are right, but applying the policy recommended by the standing committee means that the Leader of the Liberal Party should have been earning this increased wage from the time the election was declared for this parliament. The point that I want clarified is why the pay rise is occurring now. In 1998, as I have already stated, the all-party parliamentary committee, of which I was a member, recommended that a party be recognised where it had three members or 10 per cent of the vote. In the 2001 election, the Liberal Party, according to the statistical breakdown available, gained 14.3 per cent of the vote. Yet when this parliament was formed, the leader of the reduced Liberal Party was not paid the extra amount, as in the standing committee's recommendation and as is being proposed now.

Before considering this bill, honourable members and people in the community need a clear understanding of why, as a leader of three for two years, the Leader of the Liberal Party was not eligible yet now, while still leader of three, he is. That is what I seek clarified. He has qualified under that select committee recommendation for two years and yet he is now suddenly deemed eligible. I will be supporting the amendment to have debate on this bill adjourned to 9 September. However, I look forward to clarification from the Premier.

Mr DEPUTY SPEAKER (Mr Mickel): Order! Before I call the member for Caloundra, would honourable members like to welcome in the public gallery students, teachers and parents from the Dalby Christian School in the electorate of Darling Downs.

Honourable members: Hear, hear!

Mrs SHELDON (Caloundra—Lib) (12.06 p.m.): I will not be supporting this amendment. The House has had adequate time and has in front of it adequate time to debate the bill today. We also had a debate on a motion put forth by the member for Nicklin in the last sitting week. I see this as a deliberate move to delay the bill and possibly delay any payment that may come to the Leader of the Liberal Party. I say to the new members in this House—certainly the member for Surfers Paradise is one, and the member for Nicklin has not been here all that long—that they should look to the history of this parliament.

As a former Liberal Leader, and a leader of the coalition as well for a number of years, I know that this is very much dependent on looking at the wish of the electorate and the percentage of the vote that a party gets at an election. I totally agree with the Premier that 10 per cent of the vote should be a minimum. Also, over the years the Liberal Party has got much more than that—usually upwards of 20 per cent. In terms of the wish of the people, the number of members elected does not usually represent that. How we overcome that anomaly needs to be looked at further, because the number of members in this House does not necessarily reflect what the community has desired. It relates to the positioning, population base and boundaries of seats. I think that point needs to be looked at.

Mr Beattie: That is exactly right.

Mrs SHELDON: I thank the Premier. Secondly, it is important to look at the workload of the leader of a party. I realise that the Independents in this House do their job and work for their

electorate and I have no doubt that they work hard. But when we have the position of leadership—and leadership via a vote of the people for a particular political party—there is an increased onus on us. I came in here in 1990 and I was then elected the leader of the party in 1991. We had nine members at that time and—I stand to be corrected on this—I think we had well over 20 per cent of the vote of the people. I can assure honourable members that the workload was enormous. I had a number of portfolios as well. This is not a story about me; it is a story about history. Yet for all those years, apart from the two years and four months we were in government, I received a backbencher's salary. David Watson was in the same position. If any member of this House thinks that is fair, I say to them that I do not think that the general public would think that it was fair. In fact, they had no idea that that was the situation.

I think it is quite offensive that the Independents talk about a gain to Bob Quinn's pocket. This bill recognises what they refuse to recognise, and that is the position of a major party in this state and in this nation. The vagaries of the seat distribution mean that there are now three Liberal members in this place—a position that I sincerely hope will not continue far into the future and I am sure will not. I think that, in recognition of the people's wishes, in recognition of the huge workload that is on an individual if they are going to be a leader of a party, to carry portfolio responsibility, to be a joint leader of the coalition—if indeed they are—and represent the electorate, the huge number of hours a day that goes into fulfilling those roles and the huge responsibility, it is quite ridiculous that the salary that is attached to that role is also a backbencher's salary.

There has been a lot of talk from some of the Independents that this is just purely for the parliament. But is it not also just purely against the structure of political parties? There is no doubt that when people stand as an Independent, they have elected not to be a member of any particular political party. That is their choice. The people elected them on that basis and that is their choice. But a political party has strength. It also has in its members a sense of discipline, a sense of responsibility and a sense of commitment to a philosophy. When people elect a person who is a member of a party, they recognise that commitment to that philosophy and they know that is what they are going to get. When they elect an Independent, it does not necessarily mean that that is what they are going to get. I think that a bit more scrutiny needs to go into—and this is with no particular reference to any members in this House—the level of independence of some of the so-called Independents. If we are going to get to the nitty-gritty, let us really look at this issue.

The fact of the matter is that Mr Quinn has considerable responsibility. I am quite surprised that the member for Surfers Paradise thought that, because Mr Quinn has become the deputy leader of the coalition, suddenly he does not have as much work to do. That is a load of nonsense. In fact, he has a lot more to do. Also, the member for Nicklin asserted that, if Mr Quinn was the Deputy Leader of the Opposition, then this bill would not be necessary and that it is somehow a double dip by the opposition. As the recognised leader of a political party, Mr Quinn should receive the recognised salary that is attached to that position. It may well be more as the Deputy Leader of the Opposition. It is not for me to quantify that; it is up to the Premier of the day.

This bill is surely a recognition of Mr Quinn's role. I support the Premier in introducing the bill. I say to him, 'Congratulations. This is long overdue.' There has been a glaring inequity in this House since I have been in it—and beforehand—in terms of this situation. Previously, there was the arbitrary figure that a party must have 10 members before it is recognised as a party despite the member's position, workload and responsibility. The basis for defining a member's status could be the member's party receiving a certain percentage of the vote. That is certainly one way to go. In this bill, the Premier has decided the minimum percentage and number of members.

I was also quite astounded at the member for Nicklin saying that all the members of that select committee that looked into parliamentary entitlements in the previous government got it wrong. With all due respect, that is quite some assumption on the ability of the other members of that committee. If the member for Nicklin thinks that he got it wrong, that is fine. It is up to him to say that. But I think that, to say that the other members of the committee got it wrong, impugns their ability to look at the questions that were put to them, the terms of reference and the decisions, all of which I understand the member for Nicklin agreed with and signed off. If the member received a flash of insight just because this bill was introduced—and we had not heard anything from him before that—that he was wrong, that is fine. But that does not mean that the other committee members were wrong. I have looked at the full context of what the committee looked at, its decisions and its deliberations. I was not on that committee, but I congratulate them

on the work that they did and the range of decisions that they put in place to look at the situations and the terms of reference.

So I think that we should stop any hypocrisy about this issue. We should get on with putting into place, through legislation, a situation that should have existed quite some time ago. As I have said already, I congratulate the Premier on doing this, because it takes a certain sense of fairness and equality and courage to introduce this sort of legislation. Indeed, as the Premier of a government that has a large majority, he does not really need to do this. I do not support the amendment, but I support the bill.

Ms LEE LONG (Tablelands—ONP) (12.14 p.m.): I rise to contribute to the debate on the Parliament of Queensland Amendment Bill (No. 2) 2003. This bill seeks to answer the question of what constitutes a recognised political party in Queensland. Firstly, a party must meet the criteria under the Electoral Act 1992. After the 1998 election, when the new One Nation Party burst onto the scene, a bipartisan select committee comprising nine members from all the parties, including the Independents—the member for Gladstone, Liz Cunningham, and the member for Nicklin, Peter Wellington—was formed to consider the make-up of a recognised political party and the benefits that such a party should receive. That committee recommended that a definition be applied and that a recognised party should secure at least 10 per cent of the members of the Legislative Assembly.

The committee also recommended an alternative definition, that is, where a party would be recognised if it secured 10 per cent of the primary vote. That alternative definition was subsequently rejected. The reason for that was that, under the definition, it was possible for a single MP to technically be considered a leader of a recognised party and so be entitled to the resources appropriate to such a position. I acknowledge that would have been inappropriate and its rejection the proper course.

Since then, there has been the 2001 election and the make-up of the Legislative Assembly was again altered. One of the factors in the new parliament was a significant proportion of new members who were, I believe, basically unaware of the existence of the recommendations of the 1998 select committee. Indeed, many senior MPs who were members of that committee are no longer in parliament, such as the then deputy leader of the ALP, Jim Elder, the then National Party Leader, Rob Borbidge, and the then leader of One Nation, Bill Feldman. I believe that, with a wider awareness of the committee's activities in the previous parliament, this parliament may well have sought to establish a similar committee to consider how a recognised party should be defined and resourced in this term. Instead, the members of the ALP government have taken that task upon themselves.

The bill before us today is an ALP bill. It has been introduced by the Premier, and I have acknowledged in the past and do so again that he has been generous to One Nation during this parliament. I again thank him for that generosity. This bill proposes, firstly, that a party must have at least 10 per cent of the members. Therefore, with 88 seats a party would need nine MPs. Secondly, the bill allows party recognition when a party has a combination of at least three members as well as 10 per cent of first preference votes.

It is the detail of this second definition that I take issue with. I believe that the requirement for 10 per cent of the primary vote is both arbitrary and too high. I say that for several reasons. For example, a party may very well not stand in every seat at an election. At the last poll, One Nation stood in 39 seats, the Nationals in 45, the Liberal Party in 50. Only the ALP stood candidates in all 89 seats. A party may stand in even fewer seats and still win three seats. But depending on the number of candidates in an electorate, it could become extremely difficult for such a party to secure 10 per cent of the primary vote, especially if the number of candidates per seat was high, say, six, eight or more. A party may poll well in every seat in which it stands, but when seen across the state, fail to reach the 10 per cent mark.

I do not believe that the 10 per cent figure properly allows for the number of candidates who stand in many of our seats. Most recently, in the Maryborough poll, there were eight candidates. The successful Independent, who is with us today, polled 34 per cent of the primary vote. There were three other Independents, the National Party candidate, a One Nation candidate, a Greens candidates and an ALP candidate, with the highest primary vote being 37 per cent. At the last state poll in my seat of Tablelands, there were six candidates; in Lockyer, there were seven candidates; and in Gympie, there were four candidates. In total, One Nation stood in 39 seats and overall brought in 8.7 per cent of the primary vote statewide.

In the three seats now held by the Liberals, in Moggill there were five candidates; in Caloundra, four candidates; and in Robina, only two candidates. In a case such as the Robina seat where there were only two candidates, the share of the primary vote is likely to be so high that it could skew the result statewide. In fact, not only would the member for Robina's polling of more than 54 per cent of the primary vote carry, as it were, another four seats over the 10 per cent limit; the defeated ALP candidate's 45 per cent would have helped another three Labor seats to the 10 per cent margin for that party.

However, there are not many seats where there are so few candidates. In fact, at the 2001 poll about 10 per cent of seats were contested by two candidates. Almost 60 per cent had four or more candidates and around 17 per cent had six or more candidates. My point is that with the large number of candidates contesting many of our seats, it can again make it more difficult to secure a significant proportion of the primary vote. There is the potential combination of standing in fewer seats but facing more and more candidates per seat, which smaller parties would have to overcome to be considered as a recognised parliamentary party.

As this second definition of what would constitute a party in this place now stands, it is entirely possible we could see a party with seven or eight members in this place failing to qualify as a party because it was unable to secure 10 per cent of primary vote when taken across the entire state.

I know that this bill is about drawing a line in the sand. There has to be a limit somewhere. I am suggesting that the limit is too high in regard to the 10 per cent requirement of the primary vote. I do not disagree with the requirement that a party have at least three members elected to this place. However, I ask: was consideration given to a proportional system where a party may stand in a minimum number of seats and achieve a level of primary votes commensurate with that number of seats? In such a case, if a party did not win at least three seats it would still fail to qualify, but if it did achieve that result I believe consideration of the proportion of primary votes received in the seats in which it stood candidates should be considered.

Alternatively, perhaps a percentage of the state-wide primary vote of 7.5 per cent would be more appropriate. It would give greater recognition to the more diverse nature of the political landscape we now occupy. As was debated in this House last week, perhaps the most appropriate way of defining what does and does not constitute a recognised parliamentary party is for a bipartisan select committee to address the issue, such as that which was formed in 1998.

The make up of the parliament in this term is again different to that of last term. As I have said, some of the most senior members of that committee are no longer with us. Additionally, in relation to the bill before us, I note that consultation with minor parties and Independents is claimed to have been undertaken. Certainly no consultation has taken place with One Nation nor, I understand, with the Independents. That is another reason for my support for a select committee—as it would allow full and proper consideration of all points of view and not engage in this kind of Clayton's consultation.

I believe in the interests of transparency and in the interests of seeing our changing political landscape properly addressed, a bipartisan select committee should have been considered. There is no need for it to address anything other than what makes up a recognised parliamentary party and the benefits which they should receive.

I also believe that such a committee should be a normal part of the early life of each and every parliament. It would remove any hint of politicisation from the process. The changes we have seen in the fast few parliaments in this state surely demonstrate the need for such a committee. I support the amendments to the bill by the member for Nicklin.

Dr WATSON (Moggill—Lib) (12.22 p.m.): I rise to support the bill before the parliament. The Premier came into this parliament after the 1989 election, as did the member for Southern Downs and myself. When we came into this parliament the resources that went to the opposition were not only substantially less than they are today, but there was some controversy over the paucity of the resources that went to the opposition. Both the National Party and the Liberal Party were in opposition and it had been like that for some time.

It was great credit to Rob Borbidge, when he became the Premier of this state, that he gave to the then Leader of the Opposition the full resources that were given to both the Liberal and National Party. Rob Borbidge attempted to change the historical position of the Queensland parliament with respect to the resources. To give the current Premier credit, in the last parliament he did exactly the same thing, and with the recent re-formation of the Liberal-National Party coalition he has done the same thing.

What the previous Premier did and what the current Premier did was try to recorrect the historical imbalance on resources that went to the opposition. The Premier said, and we agreed with the same proposition when we were in government, that if a parliament was to function properly, if a parliament was to act in a democratic way, the official opposition needed to be properly resourced. The government obviously is resourced. The official opposition needs to be resourced otherwise you simply have an incorrect balance of resources.

Mr Terry Sullivan: It is actually a healthier parliament if you have a healthy opposition.

Dr WATSON: It is always a healthier parliament in that situation, and when we have had close parliaments one knows how rigorous the debates have been in that process.

I understand Independents coming in and having a slightly different view point, but the fact is that it is the government and the opposition that have the prime responsibility for making sure the parliament runs. It is as simple as that. The opposition is always the alternative government and plays a role particularly in that way.

When the Premier initiated this review committee in the last parliament, which I was a member of along with the member for Nicklin and the member for Gladstone, he did so to address a whole range of issues that had been out in the public to do with the handbook, about where resources went and whether they were well defined or not. The committee considered all of these things. It was during that process that the issue came up about whether or not it was fair that the Liberal Party by itself, again a historical situation, should be named as a party in the handbook and no other party. We had One Nation in the parliament at that particular time.

We addressed that situation quite up front and we addressed it in a couple of ways. One of the ways we suggested to make this whole thing transparent was to actually change the Parliament of Queensland Act to make sure that that was out there so every one could see it; that it was not just the Liberal Party that was named, but in fact it applied to any particular party. What we agreed to in the committee was a motion which was even broader than what the Premier has proposed in the current bill. The motion that we supported specified at least 10 per cent of the members of the Legislative Assembly or, if less than 10 per cent of the members of the Legislative Assembly, at least 10 per cent of the primary vote in a general election for the parliament.

The situation was very simple: there was no minimum number of members to form a political party. This bill essentially puts in a minimum number. It is exactly the same recommendation that the previous committee made, except a minimum number of people is put in there. Quite frankly there is some logic to that because it probably does help that there is a minimum.

The point about this is that the original proposal was not about favouring Bob Quinn, the current leader of the Liberal Party, or myself as the previous Liberal leader. It was about getting transparency in the process. The member for Nicklin and the member for Gladstone participated in those discussions.

As I said in the debate we had the other night, the chairman of that committee, Terry Mackenroth, at the time was extremely careful to make sure that every member had their say. I can remember him going around the table and making sure that every member was satisfied with every proposal that went forward. In fact I even said to him one day, 'Gee, you know, this is getting a little laborious', and he said to me, 'David, I want to make sure that when this is done that no-one is going to come back and say they were not listened to; that they did not have an opportunity to put forward any question; that everything that they wanted was considered; and that they agreed with every word that was in the report'. That is what Terry Mackenroth said at the time, and he did that, and I have to give him credit for that. The Premier would remember him being as precise at that.

Mr Beattie interjected.

Dr WATSON: I agree; he did an excellent job. There was absolutely no question that when the report came down every word of that report had been considered by each and every member, and every member had agreed with every word. That was in the last parliament. The member for Nicklin was there, the member for Gladstone was there and the One Nation leader at the time, Bill Feldman, was there. Every member of this parliament and the clerk had an opportunity to make submissions, and every submission that was made was considered by the committee and was addressed and dealt with.

I find a bit ironic the suggestion now that there has not been consultation. The member for Tablelands said it is 'an ALP bill' because it is a government bill and the Premier introduced it. The

Premier is responsible for the Parliament of Queensland Act, so he has introduced the bill. But it is a bill that comes out of wide consultation with members of parliament—not of this parliament but of a previous parliament—people with a lot of experience of being Independents or being in political parties at the time.

I will not speak long because I know the Premier needs to leave, and I respect that. Let me say one other thing: with single member constituencies in a democracy there are wide swings in the number of seats, with very small swings—

Mr Terry Sullivan: In the overall vote.

Dr WATSON:—in the overall vote. That will always be a difficulty. The ALP suffered that kind of swing back in the seventies. The National Party and the Liberal Party have suffered; One Nation has suffered. We will never get around that without changing the electoral system from one of single member constituencies. This bill is an attempt to recognise that. That is why it provided the variation.

This legislation is not perfect. I do not think any legislation we pass in this place will ever be completely perfect. There might be change in the future, but this has come about because of wide consultation. It was carefully thought out by the committee that previously existed and it was done on an extremely fair and bipartisan basis. I congratulate the Premier on this legislation. He has done a good job in terms of supporting the opposition. I hope he will continue to do that in the foreseeable future. I commend this bill to the House.

Mr TERRY SULLIVAN (Stafford—ALP) (12.31 p.m.): I rise to support the bill and to oppose the amendment that has been moved. If in fact the 1998 select committee got the definition wrong, what is before the House is an attempt—and I believe an excellent attempt—to get it right. The member for Nicklin said that he opposed the increase in salary for Bob Quinn. He made reference today to this situation being a sham and not fair and to the process being patronising and setting a dangerous precedent. The Leader of the National Party, the current Leader of the Liberal Party, the Leader of the Labor Party and two former leaders of the Liberal Party disagree with him, and we will see shortly in the vote what the House says.

I think that the member for Nicklin was incorrect on two counts. He said that my contribution in the debate on Wednesday the 28th was personal. It certainly was not. I asked legitimate questions, because the member for Nicklin moved a motion in the House which gave a certain flavour but then the very next day in the *Gold Coast Bulletin* he adopted a very different approach. There were personal comments directed at Bob Quinn, saying 'an angry Mr Wellington has said'. What we saw in the House and what we saw elsewhere were two different things and I asked legitimate questions as to why.

I did not at any stage say that the member for Nicklin condoned rorts—absolutely not. I raised the question of why this particular issue—which he angrily described in the paper as a rort—led him to be so passionate and so intense in his mind. During his time in this parliament he has canvassed a wide variety of topics, yet he has mentioned nothing about the rorts that occurred in his previous sphere of influence. So what was it about this issue that was so important to him?

The member for Nicklin said that for some reason I did not debate the substance of the issue but discredited him. The situation is quite the reverse. In fact, I spent considerable time discussing what the notion of 'party' or 'Independents' meant, and that is what this reflected. As former Deputy Premier Joan Sheldon said, there is work involved in being a member of a party. There are benefits gained, such as the resources and skills of the combined membership of a party, but there are also negatives. Members lose their individuality to the degree that they are bound by the combined vote.

This very weekend a number of people from the Labor side will meet with a couple of hundred other delegates at a state conference. There are people in this parliament who have already contributed a couple of hundred hours of work to that process. If I were an Independent, I would not have had to do that. I would just sit down and talk to whomever I wanted and that would be my policy position. So being part of a party has benefits but it also has negatives; it has constraints. What is before the House recognises those constraints.

I believe what the Premier has outlined to the House and what members of the National and Liberal parties opposite have said more than covers the comments that I wish to make, and I support the bill before the House.

Hon. P. D. BEATTIE (Brisbane Central—ALP) (Premier and Minister for Trade) (12.35 p.m.), in reply: The bill before the House and the associated package of support for the Liberal Party is not in the interests of the Labor Party, it is not in the interests of the government and it is not in my interests—in fact, quite the contrary—but it is in the interests of this parliament and it is in the interests of good government.

As every member knows, I have enormous regard for the member for Nicklin, but I want to share something with him. Years ago, when I had a different role as party secretary and before that, I saw the disgraceful years of National Party government—and I am not trying to pick an argument with the Leader of the Opposition on this—that basically vilified and deprived oppositions of appropriate resources. They did it to the Labor Party and they did it to the Liberal Party as well. So, in that sense, the National Party was a bit indiscriminate.

I accept that the National Party under new leadership has changed, and I put that on the record. That history means that any leader in modern times—and I use those words 'in modern times'—has to take into account that history. In the interests of being absolutely fair in this debate, I will say that Rob Borbidge started doing that and I give him credit for it. We have continued it and enhanced it. I never want to see an opposition in this parliament underresourced or underfunded ever again, particularly in a parliament where the government has been fortunate enough to end up with 66 seats.

The member for Nicklin and the member for Gladstone have raised a number of issues which I will go through in a technical sense in a minute, but I want to set out the principle behind this and the reason why I believe it is important that we fund oppositions effectively and appropriately. It is well known and it is true: if governments do not have effective oppositions, then that can, in the long term, affect their performance. I believe we have checks and balances in place internally to make sure that we continue to perform well. I would not accept lesser standards, but it is important that there be an effective opposition to keep us on our toes, and without resourcing, that is impossible.

Think of the complicated bills that come before this House. The reality is that the Leader of the Opposition is the alternative Premier. He has to respond to every one of them, or one of his shadow ministers does. If he does not have the firepower behind the scenes to properly resource either his own argument or his shadow minister's argument, he cannot do his job competently. It would not matter who occupied that role. That is why it is so important.

The member for Nicklin raised the issue of money, and I respect his view on these things. He has always had—and he still does have—a reputation for watching the pennies, and that is something that I respect him for and his electorate respects him for. But can I make this point: it is also about respect. My view is that to ensure a leader of a party that has 10 per cent and can get three seats—which happens to be the Liberal Party in this case—is appropriately respected in the process, we have to treat the leader accordingly, and there is a financial implication that goes with that.

We have to remember that, if we were to lose the next state election, the Leader of the Liberal Party, Bob Quinn, would be the Deputy Premier of Queensland. That is what would happen. I know there is a bit of nonsense about the deputy leader of the coalition and the Deputy Leader of the Opposition. I understand the Leader of the Opposition has had to deal with that, and I have resisted pursuing that in any great length because I understand the politics he is dealing with. His deputy was the Deputy Leader of the Opposition when they stood alone. The Leader of the Opposition did not take them out of coalition; his predecessor, Mike Horan, did. He had to deal with a deputy leader. Now he has a deputy leader of the coalition who is a Liberal Party member. I have some understanding and sympathy for his political position. Leaders have to juggle these things, and I have some sympathy for his position.

Dr Watson interjected.

Mr BEATTIE: There are only three of you here. How could they have more factions. I want to make a serious point about this. This is actually about respect. It is also about appropriately and properly running this House. I want to make it clear. I have tried to set a standard—because we have gone a lot further than Rob Borbidge did—whereby we get some bipartisanship to ensure that this parliament runs well.

I have deliberately created a precedent, as indeed the member for Nicklin and I did when we established that committee. It was an idea that the member and I agreed on. I am not trying to use that against the member; he should not misunderstand me. The member was committed to these issues and in good faith we have pursued them. But it is important that we have

precedents so that we get some bipartisanship and do not get in to the hurly-burly of the awful politics we saw in the past, where the winner took all. That is the ugly side of politics. 'Winner takes all' is what destroys a parliament and destroys a government.

One of the things we have had in this parliament—and I have been a bit prickly about what was raised last week, but I have moved on—is a bit of goodwill across the chamber from everybody, including the Independents. I want to see that continue. I never want to go back to the days where the Premier of the day says, 'Don't sit at a table and eat with a member of the Liberal Party or the National Party. Don't sit with the Independents.' That is ridiculous. The community that pays us wants us to work. The best way we can work is to actually have dialogue. I hope that a precedent is set out of this. I hope it is a precedent of goodwill that lifts the tone of the parliament. The only way those opposite can do that is to not forget the lessons of the past when they are in government, like we are. That is what I am trying to do today.

I thank the Leader of the Opposition for his support. I appreciate it. I thank the member for Caloundra for her support. I thank the members for Moggill, Stafford and Ashgrove for their support.

I will deal with the comments of the member for Nicklin. I will not go back and deal with what the member said, but I will give him answers. The bill does not recognise the deputy leader of the coalition but the leader of a recognised political party. It is not aimed at one set of circumstances but at setting the rules for the future. I think that is important.

One of the points that the member for Caloundra, Joan Sheldon, made is absolutely correct. She made the point that the percentage of the vote does not reflect the number of seats. If we look at the gerrymanders and the malapportionments that have existed, we find that the Liberal Party and Labor Party, but significantly the Liberal Party, have been disadvantaged by the number of seats in this parliament vis-a-vis their vote.

Mr Springborg: Does that mean you can still get a gerrymander?

Mr BEATTIE: I am talking about the past. I was talking about during Joh's days. I was trying not to mention Joh out of some courtesy to the Leader of the Opposition. But since he has raised him, I am happy to mention him. In those days the opposition was not properly resourced.

I had reservations about 10 per cent of the vote only because there was not a safety net of three. I think the safety net of three alleviates that. If a party gets 10 per cent of the vote that is a significant percentage of Queenslanders who have expressed a view. If we look at it on a two party preferred basis, it is about 14 per cent for the Senate. If we look at a primary vote of about 10 per cent we can be elected to the Senate of the country. That is an important issue.

We convened a bipartisan Select Committee on Parliamentary Entitlements and the committee came up with a definition for 'recognised political party' based on democratic principles. That definition had problems with it. We have addressed those problems and come up with a practical alternative. This is part of a package of additional resources. This bill is about recognition of a political party with at least 10 per cent of the members of this House, or more than 10 per cent of the first preference votes of the last general election with at least three members.

I think that has answered most of the things the member for Nicklin raised. The Leader of Government Business outlined in the 6 o'clock debate last week that there are various reasons some bills are prioritised ahead of others. I think that is a point that the member had issue with. I think that has covered the matters the member for Nicklin raised.

The member for Surfers Paradise asked why it is three members. It is three members plus the minimum 10 per cent of the primary vote. It is this democratic principle of 10 per cent of the vote of the people of Queensland that members should focus on. It should also be noted that the Liberal Party actually received 14.32 per cent of the vote at the last election.

The member for Gladstone raised the issue of timing. The recent re-signing of the coalition agreement caused us to reconsider the select committee's recommendation. The member asked: why now? The answer is that the Liberal Party went back into coalition with the National Party. There were a number of issues we looked at. We see this as a total package—the additional entitlements as well as what went to One Nation. This is only one part of it. I think the member has seen this as a one-off. We see it as part of a package of properly funding them.

The reality is that when the Liberal Party went back into the coalition it would have been extraordinarily petty on my part if I had not given it the extra resources it had before. I could not in all conscience do that. I think I would have been condemned, quite rightly, by any fair-minded

person, because it had the resources before. We have given them back plus inflated them. That is basically what we have done.

The member for Tablelands raised the issue that the 10 per cent requirement is arbitrary and too high. It was a bipartisan committee that agreed to 10 per cent. I accept that that is a fair thing. I have tried to answer the questions that members have raised. I come back to the member for Nicklin and other Independents and say that I know they have a genuine issue and I respect their view on this very strongly. It is one of the things that was central to the member for Nicklin when he and I talked in 1998. I know that he is genuine about this. I know that because he has been consistent for the five years I have known him. I know that he is genuine.

I ask him to respect my different view on the issue and support this on the basis that we are trying to lift this parliament—lift the democracy—so that people can be proud of it. If that is not in the interests of the government, not in the interests of the Labor Party and not in my interests then so be it. Sometimes doing the right thing is more important than politics. That is what I am trying to do here. I ask the members to understand, even if they do not agree.

Question—That the amendment be agreed to—put; and the House divided—

AYES, 8—Bell, E. Cunningham, Flynn, C. Foley, Pratt, E. Roberts. Tellers: Wellington, Lee Long

NOES, 71—Attwood, Barton, Beattie, Bligh, Boyle, Bredhauer, Choi, E. Clark, L. Clark, Copeland, Croft, Cummins, J. Cunningham, Edmond, English, Fenlon, Fouras, Hayward, Hobbs, Hopper, Horan, Jarratt, Johnson, Keech, Lavarch, Lawlor, Lee, Lingard, Livingstone, Lucas, Mackenroth, Male, Malone, McGrady, McNamara, Mickel, Miller, Molloy, Mulherin, Nelson-Carr, Nolan, Nuttall, Pearce, Phillips, Pitt, Poole, Purcell, Reeves, Reilly, Robertson, Rodgers, Rose, Rowell, Schwarten, C. Scott, D. Scott, Seeney, Sheldon, Shine, Simpson, Smith, Spence, Springborg, Stone, Strong, Struthers, C. Sullivan, Welford, Wilson. Tellers: T. Sullivan, Watson

Resolved in the **negative**.

Motion agreed to.

Committee

Hon. P. D. BEATTIE (Brisbane Central—ALP) (Premier and Minister for Trade) in charge of the bill.

Clauses 1 and 2, as read, agreed to.

Clause 3—

Mr WELLINGTON (12.55 p.m.): Can the Premier please explain how he decided on the definition of a recognised political party being 'a registered political party of which at least three of the Assembly members are members'? How did he come to deciding three and not five?

Mr BEATTIE: I thank the honourable member for the question. In a nutshell, it is an arbitrary choice but then so is 10 per cent, which the committee recommended, and so is any other number that we would choose. The member should bear in mind that we have had a decision in the past to recognise a major political party on the basis of nine. There was some flexibility—that is, 10 or nine. I just thought that if we were going to go for 10 per cent we should keep it at a bare minimum. I thought three was about as reasonable as we could possibly get and as low as we could possibly go from a credibility point of view while at the same time being fair. That is basically the reason. I accept that it is an arbitrary choice. It is a value judgment. It was one that I reached having thought, 'Well, 10 per cent, but you've got to have something. You've got to have some number.' As I indicated before, clearly the percentage of the vote has not always represented the number of seats in the parliament. That is basically the reason. It is an arbitrary choice.

Clause 3, as read, agreed to.

Bill reported, without amendment.

Third Reading

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

LAND TAX AMENDMENT BILL

Hon. T. M. MACKENROTH (Chatsworth—ALP) (Deputy Premier, Treasurer and Minister for Sport) (12.58 p.m.), by leave, without notice: I move—

That leave be granted to bring in a bill for an act to amend the Land Tax Act 1915.

Motion agreed to.

First Reading

Bill and explanatory notes presented and bill, on motion of Mr Mackenroth, read a first time.

Second Reading

Hon. T. M. MACKENROTH (Chatsworth—ALP) (Deputy Premier, Treasurer and Minister for Sport) (12.59 p.m.): I move—

That the bill be now read a second time.

The Land Tax Amendment Bill 2003 makes a number of amendments to the Land Tax Act 1915 that are necessary to implement initiatives announced in the state's 2003-04 budget. I seek leave to have the remainder of my speech incorporated in *Hansard*.

Leave granted.

Land tax is an annual tax levied on the aggregate unimproved value of freehold land owned in Queensland as at midnight on 30 June each year. Land tax is calculated (after allowance for exemptions and deductions) using valuations determined by the Department of Natural Resources and Mines. These valuations reflect market forces, with the result that any adjustment of the unimproved value of land will result in a consequential change to the amount of land tax payable.

This has recently been seen with the increases in land valuations arising from the current buoyant property market. To smooth the impact of significant increases in land valuations on land tax, three-year averaging was introduced in 1997-98. This system moderates the volatility of land tax in times of increasing values by averaging of values over the current and two previous years. However, despite three-year averaging, there is evidence of concern from land tax payers affected by increased land valuations. This concern is shared by taxpayers who will be liable to pay more tax, as well as smaller land owners who may find they are paying land tax for the first time.

States must raise revenue, through the limited means available to them, to finance services demanded by the community. Therefore, land tax is an important revenue source for Queensland and is not dealt with in the Intergovernmental Agreement on the Reform of Commonwealth-State Financial Arrangements. It is important for the Government to preserve this important revenue source. However, the amendments contained in this Bill are designed to reduce the flow-on effects of increased land valuations for taxpayers. The Budget measures produce savings for taxpayers of approximately $54.5M over four years, with taxpayers saving $11.6M in 2003-04.

Currently under the Land Tax Act 1915, residents receive a $200,000 statutory deduction to the value of their land holdings, in addition to an exemption or deduction for their principal place of residence. As tax liabilities of less than $100 are generally not collected, residents with land holdings of less than $221,665 are not liable for land tax. The Bill amends the Land Tax Act 1915 to increase the statutory deduction for residents from $200,000 to $220,000 and increase the minimum tax from $100 to $350. These changes mean that residents with land holdings of less than $275,997 (excluding their principal place of residence) will not be liable for land tax. As a result, some 11,400 residents who would have been paying land tax in 2003-04 will not and the remaining resident taxpayers will pay less than they otherwise would have.

The Land Tax Act 1915 also provides an exemption threshold for taxpayers who are companies, trustees and absentees. Those with land holdings below this value are not liable for land tax. Those with holdings above this amount are liable for land tax on the full value of their land holdings. A phasing-in rebate alleviates the impact of the value being just over the exemption threshold. The Bill amends the Land Tax Act 1915 to increase the exemption threshold from $150,000 to $170,000, with a consequential extension of the cut-off value for the phasing-in rebate from $215,000 to $235,000. As a result of these changes 2,300 taxpayers will no longer pay tax and another 4,660 companies, trustees and absentees will receive a benefit from the extended phasing-in rebate.

All resident land tax payers, and tax paying companies, trustees and absentees with land holding of less than $235,000, will benefit from the changes. In the absence of these amendments, it is estimated there would be approximately 11,100 new taxpayers compared to 2002-03. In total, there will be a 6% decline in the number of land tax payers in 2003-04 compared to 2002-03. The amendments will take effect from the 2003-04 financial year and reinforce the competitiveness of Queensland's land tax regime compared to other States. I commend the Bill to the House.

Debate, on motion of Mr Lingard, adjourned.

TRANS-TASMAN MUTUAL RECOGNITION (QUEENSLAND) BILL

Hon. T. A. BARTON (Waterford—ALP) (Minister for State Development) (12.59 p.m.), by leave, without notice: I move—

That leave be granted to bring in a bill for an act to adopt the Trans-Tasman Mutual Recognition Act 1997 (Cwlth), and for other purposes.

Motion agreed to.

First Reading

Bill and explanatory notes presented and bill, on motion of Mr Barton, read a first time.

Second Reading

Hon. T. A. BARTON (Waterford—ALP) (Minister for State Development) (1.00 p.m.): I move—

That the bill be now read a second time.

I am pleased to bring before the House the Trans-Tasman Mutual Recognition (Queensland) Bill 2003, which it is proposed will replace the Trans-Tasman Mutual Recognition (Queensland) Act 1999. In the interests of time, I seek leave to have the remainder of my second reading speech incorporated in *Hansard*.

Leave granted.

Many members of this House would be aware that an agreement between Australia and New Zealand for the reduction of trade barriers between the two countries was established in 1990. The Australia-New Zealand Closer Economic Relations Trade Agreement, known as CER, sought to develop a single market focus for Australia and New Zealand and to widen opportunities for trading between the two countries.

In 1992, Australian Heads of Government signed a Mutual Recognition Agreement or MRA. This Agreement, which is underpinned by legislation, is designed to establish a national economy free of trade and occupational barriers between States and Territories. Consistent with the original intention of CER, part of the MRA provided for an extension of the scheme to include New Zealand.

Accordingly, the Trans-Tasman Mutual Recognition Arrangement or TTMRA was signed by Australian Heads of Government and the Prime Minister of New Zealand in 1996.

Australia implemented the TTMRA in accordance with Section 51(xxvii) of the Commonwealth Constitution, which empowers the Commonwealth Parliament to make laws with respect to matters referred to it by the Parliament of a State or Territory. In 1997, New South Wales referred the power to the Commonwealth to legislate for trans-Tasman mutual recognition. Parliaments in other States and Territories subsequently adopted the Commonwealth law by way of their own legislation.

The TTMRA commenced on 1 May 1998 on the commencement of the Commonwealth legislation, namely the Trans-Tasman Mutual Recognition Act 1997. The Queensland Parliament adopted the Commonwealth Act through the Trans-Tasman Mutual Recognition (Queensland) Act 1999 which commenced on 18 March 1999.

The TTMRA promotes free trade in goods and services between Australia and New Zealand by the mutual recognition of regulatory standards for goods and occupations in both countries.

The TTMRA gives rise to a range of benefits for both the Australian and New Zealand jurisdictions by:

- Expanding the market in goods and labour between Australia and New Zealand;
- Increasing the competitiveness of the market;
- Minimising regulatory impediments to free trade in goods and labour between Australia and New Zealand;
- Increasing consumer choice in the market;
- Decreasing compliance costs for business; and
- Increasing the mobility of people in registered occupations to practice in another jurisdiction with a minimum of regulatory impost.

Because of its close proximity to New Zealand, Queensland is well placed to take maximum advantage of ongoing trade development opportunities across the Tasman. The proposed legislation will continue two essential mutual recognition principles about freedom of trade in goods and services.

The first of these principles is that, if goods may be legally sold in Australia, the goods may be sold in New Zealand and vice versa.

The second principle is that, if a person is registered to practice an occupation in Australia, he or she will be entitled to practise an equivalent occupation in New Zealand and vice versa.

There are a number of important exclusions and exemptions from the TTMRA which will be maintained in this Bill.

Laws relating to customs and tariffs, intellectual property, taxation and other specific international conventions are excluded from the TTMRA.

Laws relating to public health and safety matters such as firearms, fireworks, gaming machines and indecent or pornographic material are permanently exempt from the TTMRA.

In addition, some laws such as those dealing with hazardous substances, industrial chemicals and dangerous goods are subject to a temporary exemption from the TTMRA.

Finally, some laws regarding occupations such as those dealing with medical practitioners are also exempt from the TTMRA.

The Trans-Tasman Mutual Recognition (Queensland) Act 1999 contained an expiry clause which provided that the Act would expire five years from the date of proclamation of the Commonwealth legislation. Accordingly, the Queensland Act expired on 30 April 2003.

There was agreement among jurisdictions at the time that the TTMRA was introduced that it would be reviewed within five years and this was the reason that the Queensland Act was given a five year life.

The Productivity Commission is currently reviewing the TTMRA and a final report is anticipated in September this year. The Committee on Regulatory Reform of COAG will then examine the Productivity Commission findings and prepare recommendations for COAG by the end of the year. The Commonwealth did not initiate this review until early 2003 which meant that the review could not be completed before the expiry of the Queensland Act.

Accordingly, it is proposed to re-enact the Queensland Act and to make the application of the new Act retrospective to the date of expiry of the original Queensland Act. This will provide continuity in the treatment of the goods and occupations affected by the TTMRA and ensure Queensland continues as a participating party to the TTMRA.

It is not proposed to include an expiry provision in this Bill. Rather, it is proposed that the legislation be reviewed within five years of its commencement. This will ensure consistency with the five yearly review periods for the Australian MRA. Queensland, as a participating jurisdiction, will then be involved in reviews of the TTMRA and the Australian MRA simultaneously every five years.

In conclusion, the Trans-Tasman Mutual Recognition Arrangement has proved to be a low-cost way of overcoming unnecessary regulatory impediments to trade between Australia and New Zealand and consumers, business, and service providers in Queensland have benefited from this Arrangement. This Bill is necessary to maintain the legislative underpinning for Queensland's continued participation in the Trans-Tasman Mutual Recognition Arrangement.

I commend the Bill to the House.

Debate, on motion of Mr Lingard, adjourned.

CHILD PROTECTION (INTERNATIONAL MEASURES) BILL

Hon. J. C. SPENCE (Mount Gravatt—ALP) (Minister for Families and Minister for Aboriginal and Torres Strait Islander Policy and Minister for Disability Services and Minister for Seniors) (1.01 p.m.), by leave, without notice: I move—

That leave be granted to bring in a bill for an act to provide for Queensland's involvement in relation to the Convention on Jurisdiction, Applicable Law, Recognition, Enforcement and Co-operation in respect of Parental Responsibility and Measures for the Protection of Children, and for other purposes.

Motion agreed to.

First Reading

Bill and explanatory notes presented and bill, on motion of Ms Spence, read a first time.

Second Reading

Hon. J. C. SPENCE (Mount Gravatt—ALP) (Minister for Families and Minister for Aboriginal and Torres Strait Islander Policy and Minister for Disability Services and Minister for Seniors) (1.02 p.m.): I move—

That the bill be now read a second time.

I am pleased to introduce the Child Protection (International Measures) Bill 2003. In the interests of time, I seek leave to have the remainder of my speech incorporated in *Hansard*.

Leave granted.

The Bill implements the Hague Convention on Jurisdiction, Applicable Law, Recognition, Enforcement and Co-operation in respect of Parental Responsibility and Measures for the Protection of Children 1996. The Convention is known in short form as the Child Protection Convention.

The Bill also makes minor amendments to the Child Protection Act 1999 and the Juvenile Justice Act 1992.

Basis of the Bill and reasons for changes

The Commonwealth Government has lodged Australia's instrument of ratification with the depository at The Hague so that the Child Protection Convention will come into force in Australia on 1 August 2003. The convention codifies jurisdictional rules in relation to children who cross international borders where parenting orders or child protection concerns exist for the children. It also establishes a framework for co-operation between convention countries to ensure the protection of children.

The increasing international mobility of families with a resultant increase in international litigation in relation to children has prompted the development of the Child Protection Convention.

The convention deals with both family law and child protection. The Federal Parliament has passed the Family Law Amendment (Child Protection Convention) Act 2002 to implement the family law aspects of the convention. State legislation is required to implement the child protection aspects of the convention.

Minor amendments to the Child Protection Act 1999 are required to correct some drafting anomalies and clarify the intention of a number of provisions in the Act.

The Bill also makes a small number of technical amendments to correct drafting errors in the Juvenile Justice Act 1992, which have been identified by the Office of the Queensland Parliamentary Counsel.

The Child Protection Convention

Ratification of the Child Protection Convention by Australia will have significant benefits for Australian families and in particular for children who are the subjects of international family law litigation or child protection concerns.

The purpose of the Child Protection Convention is to provide for international co-operation between convention countries and to promote co-operation with non-convention countries in taking measures of protection for the person and property of children. The convention promotes co-operation among convention countries by:

- eliminating potential conflicts of jurisdiction;
- providing for the international recognition of measures of protection for children; and
- establishing formal mechanisms for co-operation and the sharing of information between authorities in different countries.

A major objective of the convention is to address the problem of international cases involving protection of children from abuse and neglect. It is in the best interests of children that there be internationally agreed rules determining which child protection authorities have jurisdiction in relation to a child. The absence of agreed rules means that authorities in one country may fail to act because they assume authorities in another country have taken responsibility for protecting a child.

The Department of Families and child protection authorities in other states are dealing with an increasing number of international matters. While the number of these cases is not large, they consume a significant amount of time and resources because of the difficulty in identifying and negotiating with the appropriate authorities in other countries. Currently, diplomatic channels must be used and requests made to other countries for assistance in relation to a child may not always receive a response. Ratification of the Child Protection Convention and its implementation by this Bill will assist in ensuring that children who move between countries are protected from harm. It will reduce delays for the children affected and should result in a reduction in costs to child protection authorities.

Formal co-operation procedures for child protection authorities will assist in resolving many of the cases that come to the attention of the Queensland Department of Families. Some examples of the types of cases that can arise are:

- overseas authorities requesting the transfer of child protection measures for children immigrating to Australia;
- cases in which children subject to foreign child protection measures are brought to Queensland without notice to the department;
- cases in which child protection proceedings have commenced in Queensland but the child is removed to another country prior to the conclusion of the proceedings;
- overseas authorities asking Queensland to check on the welfare of a child visiting Queensland on a contact visit; and
- parents in Queensland seeking the transfer to the Queensland child protection authority of children in the care of overseas child protection authorities.

Current processes in relation to international family law and child protection matters are subject to uncertainty as to jurisdiction and unpredictability in relation to the enforcement of orders abroad. The complexity of international litigation necessarily leads to complex conflicts of law rules. In examining the provisions of the Bill, it is important to keep in mind that Australian courts and authorities already apply highly technical conflict of law rules, most of which have been developed piecemeal over time by the courts as part of the common law. The convention is largely consistent with those existing rules but has the advantage of codifying the rules in a form, which is expected to be adopted in many countries.

The convention was drafted by family and child protection law experts from 48 countries under the auspices of the Hague Conference on Private International Law, the foremost international organisation in development of modern conflict of laws instruments in this area. An Australian delegation was involved in drafting the convention in 1996 and an officer from the Department of Families represented the Australian States and Territories in that delegation.

Australia has ratified two other conventions drafted by this organisation that promote the protection of children across international borders. These are the Hague Convention on Civil Aspects of International Child Abduction and the Hague Convention on Protection of Children and Co-operation in Respect of Intercountry Adoption. The Department of Families is the state central authority for these conventions.

As I stated earlier, the Child Protection Convention deals with both family law and with child protection. The family law aspects have been implemented by the Commonwealth through amendments to the Family Law Act 1975. It is the responsibility of the states and territories to implement the child protection aspects of the convention. Model legislation was prepared by Queensland to assist the states and territories in doing so. The model Bill was the subject of extensive consultation between the states over five years. All relevant agencies were consulted in its development. The model legislation was scrutinised and settled by the Parliamentary Counsels' Committee. This Bill mirrors the provisions of the model legislation.

In line with the Child Protection Convention, parts 2 and 3 of the Bill provide a comprehensive statement of Queensland's jurisdiction in relation to the protection of the person and the property of a child. The jurisdiction provisions of the convention centralise jurisdiction in the courts and authorities of the country where a child is habitually resident. The primacy given to habitual residence by the convention is recognition that the authorities of the child's country of habitual residence are by definition closer to the child and usually better able to assess his or her situation. This is a view that has been approved by successive Australian governments, by courts in Australia and by other common law countries. The convention and the Bill recognise some subsidiary grounds of jurisdiction. For example, it provides for Queensland courts and authorities to take urgent measures to protect a child habitually resident overseas but temporarily present in Queensland.

Urgent measures to protect a child who is habitually resident in another country would be used in Queensland where the child has been abandoned or harmed by his or her parent while on a visit to Queensland. Using the co-operation provisions of the convention, the Department of Families would contact the central authority of the other country to inform them of the child's circumstances and request them to identify a suitable placement for the child in the child's country of origin. In the meanwhile, the department would apply to the Childrens Court for a short term child protection order granting guardianship of the child to the chief executive of the Department. Once the

overseas authority has located a suitable placement, the child would be returned to that country and the Queensland order would be revoked.

The jurisdictional rules in the Child Protection Convention and the Bill also apply to the appointment of a guardian for children's property. The primary benefit of the convention in relation to property is the overseas recognition of the authority of Australian parents as guardians for the property of their children.

As required by the Child Protection Convention, the Bill establishes a scheme for recognition, by registration, of foreign protection measures. It is not anticipated that these provisions will be utilised for child protection matters. The recognition and enforcement provisions will have greater application to registration of foreign parenting orders with the Family Court. Child protection matters will primarily be addressed using the co-operation provisions of the Child Protection Convention. This is because child protection orders frequently involve the granting of parental responsibility to a child protection authority. If a child who is subject to such an order comes to Queensland, the foreign order could not, in a practical sense, be administered in Queensland because the overseas child protection authority is not physically present to exercise its powers.

This situation is different to foreign parenting orders because the child usually comes to Australia with a parent or other individual in whose favour the parenting order has been made. It is simpler for child protection orders to be sought and enforced in the country where the child is present using the co-operation provisions of the Child Protection Convention than to register and enforce a foreign child protection order. Australia's policy position on this issue was made clear when the Convention was drafted in The Hague in 1996 and there was no objection to such a position being taken.

This would mean, for example, that where a child is in Queensland for the purpose of a family visit and is the subject of an overseas child protection order granting guardianship of the child to the child protection authority in the other country, the Department of Families will consult with the overseas child protection authority to establish an agreed solution to meet the child's protective needs while he or she is in Queensland. Registration in Queensland of the foreign order of itself would not be sufficient to ensure the child's protection in Queensland as the overseas authority would not have the physical means to exercise guardianship in Queensland. This may mean, for example, that the overseas authority will agree to Queensland exercising its child protection jurisdiction in relation to the child while the child is in Queensland.

The Bill facilitates the implementation of the co-operation provisions of the convention by requiring the department as the state central authority to:

- exchange information with competent overseas authorities;
- notify overseas authorities of any information concerning serious danger of abuse to a child;
- help locate children and provide reports on the situation of children;
- co-operate with overseas authorities to resolve cases where a parent in one country seeks contact with his or her children residing in another country;
- take Queensland measures at the request of a competent overseas authority; and
- apply to Queensland courts to transfer or receive jurisdiction at the request of Convention countries.

The convention likewise requires other convention countries to co-operate with the Department of Families by providing information about children and families upon request, but subject to confidentiality requirements, and to consult about taking measures for the protection of children. These provisions are the most useful provisions of the Convention from an Australian child protection perspective as they will ensure that requests for assistance can be made directly to the relevant authorities and that those requests will receive a response.

The Department of Families is sometimes required to take urgent action to protect children who are in Australia with their parents on temporary visas. This action may include removing the child from the parents' care by applying for and obtaining a child protection order. Once the parents' visa expires the child must leave Australia. The co-operation provisions will require the department to contact the child protection authority in the country to which the child is going and to request that authority to take action to protect the child when the child arrives in that country. The convention will require the overseas authority to take action and to advise the department of the action taken.

On occasion it is in the best interests of children in the care of the chief executive under the Child Protection Act to travel overseas to visit family members. Implementation of the convention will enable the Department to seek the assistance of the child protection authorities in other countries to supervise such visits. This will be beneficial for those children in care who would not otherwise be allowed to travel overseas to visit family because of concerns for their safety.

Ratification of the Child Protection Convention by Australia and its implementation by this Bill is a positive step in international co-operation in the interests of all children.

Amendments to the Child Protection Act 1999

The Bill also makes a number of minor amendments to the Child Protection Act 1999.

The Child Protection Act 1999 came into force in March 2000. This Act is still recognised as leading Australia in contemporary child protection legislation. However, it is the case that even the best piece of legislation will contain some anomalies and errors. After an initial implementation period, it has become clear that some provisions do not capture the original policy intention as accurately as was first thought.

These amendments to the Act correct drafting errors and anomalies and refine some sections to better capture the original intention of the Act as set out in the Explanatory Notes for the Child Protection Act 1999.

The most significant of these amendments is the amendment to the definition of 'parent' for the purpose of child protection proceedings in the courts. The Bill rectifies technical problems with the current definition. The amended sections will ensure that parents who have some, but not all, parental responsibility for a child as a result of Family

Court parenting orders are clearly included with the definition of 'parent' and are parties to an application for an assessment order or child protection order.

The Explanatory Notes for the original Bill indicate the intention that all people who have a legal parental relationship with a child that could be affected by the making of an order under the Child Protection Act 1999 should be parties to child protection proceedings. This not only includes mothers and fathers, but also grandparents and other persons who may have legal parental responsibility for a child because of a Family Court order or an order of the Supreme Court.

The Bill also contains a provision to enable foster carers and licensed care services to surrender their foster carer approvals or licences when they no longer wish to provide care. The need for a simple surrender procedure was overlooked in the drafting of the Act.

The Bill also broadens the scope of persons associated with licensed care services for whom mandatory criminal history, domestic violence and traffic history checks can be conducted, as part of determining the suitability of these persons to provide care services and to have contact with children placed with those services.

Currently, the Act does not require these personal history checks to be done for:

- nominees for a licence for a care service;
- Board or Committee of Management members of a licensed care service who may not be directly managing the service or directly caring for children but may be on the premises and having regular contact with children; or
- other staff, volunteers or contracted workers of licensed care services who are not directly caring for children, but may have regular contact with children.

In accordance with departmental policy, checks on these persons are currently conducted but this can only occur with the consent of the individuals concerned. Amendments are required to enable these checks to be conducted without relying on consent, although consent will continue to be sought. While some categories of persons associated with licensed care services are subject to the child related employment screening processes under the Commission for Children and Young People Act 2000, these checks are not as extensive as those required under the Child Protection Act 1999. People having contact with children in care through their involvement with licensed care services should be subject to the same level of checks under the Act as are foster carers.

The Bill also makes a number of amendments to the offence provisions in the Child Protection Act 1999 to correct a drafting anomaly whereby the keeping of a child who is in care under the Act is only an offence where the child was unlawfully removed from that care. There may be instances where a child is lawfully removed, for example, for a planned contact visit, but is then not returned at the agreed time. The amendments clarify that the unlawful keeping of a child is also an offence.

Amendments to the Juvenile Justice Act 1992

The amendments to the Juvenile Justice Act 1992 made by this Bill are technical amendments made to rectify minor drafting errors and incorrect references to other Acts and to align some provisions of the Act with current drafting practices.

Consultation

Consultation on the question of Australia's ratification of the Child Protection Convention has taken place through the Standing Committee of Attorneys-General and the Community Services Ministers Council. In 1999 responsible State and Territory ministers agreed to Australia's ratification. Since 1997, Commonwealth and State officials have been co-operating in the development of an appropriate legislative scheme to implement the convention in Australia. An Issues Paper was produced in 1998 and circulated widely to relevant State and Territory agencies, courts, public trustees and legal aid bodies for comment. The model legislation was provided to the Department of Justice and Attorney-General, the Chief Justice, the Childrens Court President, the Acting Chief Magistrate, the Children Services Tribunal President and the Public Trustee.

Conclusion

This Bill further implements this government's commitment to the protection of children. It represents our commitment to the ongoing protection of children not just at a state level but at a national and international level by promoting co-operation with other governments in the interests of children. Queensland has been a leading participant, not only in developing the legislation to implement this important convention, but also in the drafting of the convention itself. The convention and this Bill are significant steps towards international co-operation for the benefit of children and families.

I commend the Bill to the House.

Debate, on motion of Mr Lingard, adjourned.

Sitting suspended from 1.02 p.m. to 2.30 p.m.

INTEGRATED PLANNING AND OTHER LEGISLATION AMENDMENT BILL

Hon. N. I. CUNNINGHAM (Bundaberg—ALP) (Minister for Local Government and Planning) (2.30 p.m.), by leave, without notice: I move—

That leave be granted to bring in a bill for an act to amend legislation about integrated planning, and for other purposes.

Motion agreed to.

First Reading

Bill and explanatory notes presented and bill, on motion of Mrs Nita Cunningham, read a first time.

Second Reading

Hon. N. I. CUNNINGHAM (Bundaberg—ALP) (Minister for Local Government and Planning) (2.31 p.m.): I move—

That the bill be now read a second time.

Honourable members will recall that in November 2001, I introduced into the House the Integrated Planning and Other Legislation Amendment Bill 2001. Following the continued strong bipartisan support for IPA and its key objective of seeking to achieve ecological sustainability, the Integrated Planning and Other Legislation Amendment Act 2001 was assented to on 19 December 2001.

The IPOLA Act 2001 resulted from the operational review of IPA, initiated by the previous Minister for Local Government and Planning. The review involved wide consultation with stakeholders and the act included an extensive range of changes to improve the day-to-day operation of the planning and development system.

Even though the contents of the bill were carefully designed to minimise any effect on the structure and content of the new IPA compliant planning schemes being prepared by local governments to meet the agreed deadline, which was then 30 March 2003, there was a need to ensure that the introduction of the IPOLA Act 2001 did not interfere with local governments' efforts to meet this deadline. Therefore, the commencement of the IPOLA Act 2001 was undertaken in stages. Some provisions commenced on assent, other provisions commenced by proclamation on 1 October 2002 and the uncommenced provisions of the act were to commence at a time compatible with the progress of the local governments' planning scheme schedule.

Prior to setting a date for the commencement of those provisions, it became apparent that the majority of local governments were not going to meet the 2003 scheme-making deadline. Consequently by *Government Gazette* notice dated 20 December 2002, I reluctantly extended the deadline to 30 June 2004. This has necessitated a review of the uncommenced provisions of the IPOLA Act 2001. As a consequence I now propose a more limited agenda for the IPOLA Bill 2003 compared with that originally established in the IPOLA Act 2001. This is to avoid introducing legislative changes that could result in local governments diverting resources and attention away from the important task of scheme making, in order to implement the changes.

As a result, the primary focus of this bill is to carry forward those initiatives from the IPOLA Act 2001 that are necessary for operational reasons but that do not compromise local governments' current plan-making obligations. For example, the infrastructure planning and charging framework amendments have been progressed. These amendments will provide for the better integration of councils' land use and infrastructure planning activities, and also simplify infrastructure charging arrangements for councils.

Councils will have the option of preparing either infrastructure charges schedules if they wish to undertake a detailed cost recovery exercise, or adopting a system of 'regulated' charges. That will better suit the needs of the smaller, lower growth councils. Councils will also have the ability to impose conditions on development for the provision of smaller infrastructure items and network connections, for necessary major infrastructure or to recover the additional infrastructure costs associated with unanticipated development. The bill will also allow infrastructure agreements between councils and developers to be used as a mechanism for funding and supplying infrastructure. The revised framework provides greater transparency, accountability and certainty to developers in relation to infrastructure costs for new development.

Furthermore, the bill repeals the IPOLA Act 2001 thereby further ensuring that the focus is squarely on the scheme-making activities of local government. Additionally, the bill makes several consequential or related amendments to other legislation in accordance with agreed policy positions. And I propose to monitor the need for further legislative refinement of IPA when local governments have further progressed the preparation of new IPA compliant planning schemes.

The bill I am introducing today builds upon the purpose of IPA by improving its day-to-day functioning and further streamlining and integrating development assessment in Queensland, minimising any operational impacts on local governments. The amendments are designed to complete a series of reforms to the designation processes, substantially redesigning the process

itself for greater emphasis on achieving environmentally sustainable outcomes, as opposed to the current arrangements which concentrate on processes without emphasising the quality of environmental assessment and public consultation.

The role and scope of a planning scheme policy and its relationship with the planning scheme has been clarified. And substantial changes have also been made to facilitate key reforms to the preliminary approval process, particularly as it relates to larger 'conceptual' approvals, and staged or 'layered' approvals. As a result of these amendments, applications for preliminary approval involving variations to the planning scheme will require public notification.

Reforms are also proposed to the owner's consent arrangements under IPA to support the continuing integration of other state approvals into IDAS and the referral coordination arrangements to move current transitional arrangements into chapter 3. As a result of both public submissions and the need to develop complementary processes for environmental assessment in response to the Commonwealth's Environmental Protection and Biodiversity Conservation Act 1999, the bill includes a specific process for preparing environmental impact statements, or EIS, capable of accreditation under a bilateral agreement made under the Commonwealth act, providing for an EIS process that has been completed to the chief executive's satisfaction to become a key decision-making tool under the IDAS or designation processes. And a new schedule 9 draws from the existing schedule 8 part 3, clarifying the role of development that is exempt for a planning scheme.

The IPA reform is an ongoing agenda and therefore I have proposed the following amendments in response to issues that have emerged since the enactment of the IPOLA Act 2001. Changes to the code assessment rules are proposed in response to recent judicial authority suggesting code assessment arrangements are less flexible than originally intended. The rules for determining the assessment manager for an application have also been reformatted to include the substance of the section in tabular form allowing for a more user friendly and comprehensive description of its effect. Consequently, the substance of this section has been included in a new schedule, schedule 8A. The schedule is located between schedule 8, also now in a tabular form, which identifies assessable and self-assessable development, and the new schedule 9, which identifies exempt development for a planning scheme. This creates a logical 'flow' for users seeking to determine the assessment status of development.

In addition, including the assessment manager information in a tabular form allows for information to be included with the basic rules for determining the assessment manager. This consolidates the information and will also assist in simplifying the regulation, resulting in the reformatting in a tabular form of the information contained in schedule 8. A limited form of compliance assessment for conditioning of development approvals has been introduced to simplify and streamline the ongoing management issues arising from approvals.

Under IPA and the Building Act 1975, private certification allows applicants the choice of obtaining building approvals from either the local government or accredited private certifiers. Following approval of a building application by a private certifier, the certifier must lodge building approval documents and pay a prescribed fee to the local government for the archiving of those documents.

However, local governments have experienced difficulties in the part payment of local government's prescribed fee, and the late lodgment of documents. The late lodgment of documents means that local governments are unaware of development approvals in their area and are therefore limited in their ability to respond to public inquiries and resolve complaints regarding building work compliance with planning scheme requirements. And the part payment of fees has placed local governments in the difficult position of having to receipt the approval documents without being able to recover the outstanding costs. Currently, there is no clear disciplinary mechanism to compel payment or timely lodgment.

To provide surety for local governments in their dealings with private building certifiers, amendments to the IPA will make it an offence for a private certifier to give a building approval to an applicant before lodging the approval documents and payment of the prescribed fee for archiving.

To ensure impacts on approval times are minimal, local governments will be required to issue a receipt or 'acknowledgment' to the private certifier immediately upon receiving the building approval documents for archiving and payment of the prescribed fee. To ensure consistency and accountability in the setting of fees, it is proposed to amend the Building Act and IPA to remove the head of power for establishing fees for archiving building approval documents. Use of the

head of power under the Local Government Act 1993 will ensure more accountability by clarifying that in setting regulatory fees and charges for archiving of building approval documents, the local government should recover no more than the costs incurred in administering the regulatory regime.

In addition to the matters I have already mentioned, the bill contains a limited number of consequential amendments to other acts, to either support the above amendments, or which are related to the implementation of the IPA framework in some other way. Amendments are proposed to the Local Government Act 1993 to give local governments more time to integrate certain matters currently dealt with under their local laws into IDAS. This will help further facilitate earlier completion of IPA planning schemes.

The Queensland International Tourist Centre Agreement Act Repeal Act 1989 will be amended to remove certain arrangements concerning the zoning of land in Livingstone shire which are redundant but which are preventing the Livingstone Shire Council from effectively dealing with the affected land in its IPA planning scheme. To address damage to roads issues, which cannot be dealt with under the IPA framework, the Local Government Act 1993 and Transport Infrastructure Act 1994 will also be amended, and minor amendments to coastal protection legislation and the Plumbing and Drainage Act 2002 to facilitate integration of these approvals into IDAS, are also included in the bill. I commend the bill to the House.

Debate, on motion of Mr Springborg, adjourned.

DANGEROUS PRISONERS (SEXUAL OFFENDERS) BILL

Second Reading

Resumed from 3 June 2003 (see p. 2486).

Mr SPRINGBORG (Southern Downs—NPA) (Leader of the Opposition) (2.42 p.m.): In rising to speak to the Dangerous Prisoners (Sexual Offenders) Bill, the only positive thing I can say about the government introducing this bill to parliament is that it is better late than never. During the course of my contribution, I will explore the government's dereliction on this issue. However, I am pleased that the government has bothered to finally deliver to this parliament law reform that may protect our most vulnerable citizens, particularly women and children, from the clutches of these sexual predators, albeit that there may be only a few of them in our prisons.

For the information of those newer members who sit opposite and who will no doubt get up and wax lyrical about what a wonderful piece of law reform this bill is and pat themselves, this Attorney-General and the government on the back for it, I will go through the history of this legislation and what happened a few years ago when I tried to get the government to do exactly this. I will tell them about the way in which I was smeared and attacked by the former Attorney-General, Matt Foley, who has left a legacy in this state that will take years and years and years to repair.

Mr Lawlor: You were in government five years ago. Why didn't you do it?

Mr SPRINGBORG: What is the member's excuse for waiting five years? I was not the Attorney-General three years or four years ago, but I can tell the honourable member for Southport that I have pushed and pursued the Beattie government on a whole range of issues. That has embarrassed the government, so it has introduced bills to address those issues. One of those bills was the fine defaulters bill. Another one was the drug courts bill.

I refer to an article in the *Courier-Mail* of 2 September 2000, which states—

Opposition justice spokesman Lawrence Springborg said the Coalition was considering amending the Criminal Code to keep offenders locked up until deemed safe for release. However, a spokesman for Attorney-General Matt Foley said indefinite imprisonments had been possible in Queensland since 1945.

So the former Attorney-General stood up and said that it was not necessary and that everything was hunky-dory. He missed the point completely about why the indefinite sentencing regime that existed at that time was not about addressing the problem that I identified but was about making excuses. In that article, former Attorney-General Matt Foley went on to state—

Queensland's courts are currently empowered to make orders against child sex offenders at the time of sentencing, forcing them to keep police aware of their whereabouts after being released.

All of those points are true. But that was not what I was driving at. The then Attorney-General was out there obfuscating and muddying the waters rather than doing something.

It was also that government of which the former Attorney-General was a part which refused to enact section 19—the naming orders—that had been in place since 1989. It was only when Attorney-General Beanland in the Borbidge government enacted it that we saw 18 offenders named under that section.

The point was that there was quite a demonstrable deficiency in the Queensland law that needed to be addressed. Certainly, in this modern context, the deficiency needed to be addressed when one considers that offenders had been released whom the authorities were concerned had a very real capacity to reoffend. I would be concerned about naming those offenders in this place because of matters that may be before the courts. However, if the authorities had concerns about them, if Corrective Services had concerns about them and they had been given definite sentences, then it made sense that we should have a provision in our law that allowed us to revisit those offenders' records as their release date became closer.

I think that having the former Attorney-General, Matt Foley, running around making excuses about why something that existed which was not quite good enough should stay in place without amendment did this state a great disserve and put people at risk. I was particularly keen to seek to address this issue because, as every member of this parliament knows, our courts have to make value judgments based on the evidence put before them. They have to make judgments that are based on the precedents that have been set by sentencing judges in the past and also on decisions of the Court of Appeal.

Quite clearly, there are some really dreadful, stinking predators in our jails who are not given indefinite sentences. They are given definite sentences—some of them quite harsh sentences. They may be 12 years, 13 years, 14 years, 17 years or 20 years long, but they are definite sentences. Under the existing law in Queensland, once an offender has been given a definite sentence, there is no capacity whatsoever to revisit that sentence if it is considered that that offender has not been properly rehabilitated.

That is what the opposition's suggestion on 2 September 2000 was about, yet it was quite unbelievably and immorally howled down by the former Attorney-General in a personal smear. It was not about engaging in decent public policy debate in this state; it was about smearing what was a good idea. The former Attorney-General has not been able to intellectually undermine the depth of the argument that the opposition put forward, and which has now been proven correct, because it is exactly what this Attorney-General is seeking to do today.

In indicating that we had indefinite sentences already, the Attorney-General of the day, Matt Foley, also failed to outline that generally the people who are given those indefinite sentences had usually offended on numerous occasions, had been sentenced on numerous occasions, and the magnitude of their crimes had worsened at each of their court appearances. The crimes of those offenders ranged from offending against kids to offending against women.

The nature of the crimes of these offenders worsens as they go along. It includes all the worst types of sexual depravity that one could ever imagine, and they will get to the stage where they will kill somebody. Almost all of these offenders who have been indefinitely sentenced in Queensland have worsened as they have gone through their criminal career until the stage has been reached where there has been no choice for the Attorney but to make a submission for an indefinite sentence. The legislation that we were calling for was about putting in place a provision whereby those people who had been definitely sentenced but were considered to be a predatory risk to the community would be able to be further incarcerated.

I return to the fact that the government had not enacted the naming orders section. I note the presence in the public gallery today of a great campaigner in this area, Hetty Johnson. I remember when we had a discussion on the radio about this option of naming, she made what I thought was a very, very valid point. Her point was that if these characters are deemed at risk of reoffending by the sentencing judge at the time of offending, it really begs the question why they should be released to start with. I agree with that. If they are not going to be indefinitely sentenced, then we do need a situation where there is a chance for a court to revisit that at some future time.

After three years of campaigning and after three years of lampooning and smearing from the former Attorney-General, we are finally getting to the stage at which something is actually happening here in Queensland. I said in the 2001 election campaign, when I reannounced this policy, that this is something that we will definitely be doing. The members opposite can stand up and say, 'Why was this not done? Why was that not done?' During the time that I have been

shadow Attorney-General or when I held a ministerial position, whenever I have become aware of an issue like this I have always taken up the cudgels, and I make absolutely no apologies for it.

Quite frankly, someone has to be prepared to stand up and admit that there are issues, which I was prepared to do, but what happened? This government—including those backbenchers opposite—was not even prepared to stand up and say that this needed to be fixed. In fact, as I will show in a moment, some of them were complicit in their inaction on this particular issue.

Mr Lawlor: You were in government five years ago; why didn't you do something?

Mr SPRINGBORG: Talking about the honourable member, he is one of the people known as the 'silent seven' on the Gold Coast.

On 7 February 2001 I again announced that this was something that we would be doing if elected to government. That was five or six months after I originally announced that it was something we wanted to do, and I called on the government to do it.

This government expects opposition members to stand in this place and be prepared to support its good ideas. I do give some credit to this Attorney, because he has been prepared to address a number of outstanding issues of law reform—including some issues that were ignored by his predecessor. I do at least give him some acknowledgment for bringing this bill into the parliament. As I have said to this Attorney in the past, he has brought some reasonably good law reform into this place, and I have no hesitation in supporting today something which we have been calling for for quite a period of time.

It is true that it is not only the government that can have good ideas; the opposition can also have good ideas. It is not fair that, on the one hand, the government expects the opposition to support everything it brings before the parliament—and I have supported all bar one piece of legislation that this Attorney has brought into parliament—yet, on the other hand, the government votes against our proposals. The members of the government go out there and say no to our proposals and then they come back into this place, sometimes within a few months, and introduce the basic principles of what we had suggested, or the entirety of it, and call it their own. Nevertheless, we are pleased that the government has finally decided to do something about this issue.

On 3 September 2000 I again talked about the importance of this issue and the way that we would be pushing this forward as a sensible law reform in Queensland. We also expressed some real concern about the then Attorney's lack of understanding and lack of commitment to the very law reform which we are seeing in this parliament today. He was complicit in not advancing the interests of children in particular in this state.

On 7 September 2000 the member for Mount Ommaney, Mrs Attwood, rose in this place and asked the then Attorney-General and Minister for the Arts whether he was prepared to inform the House of any proposals from the member for Warwick, as I was at that stage, for the introduction of indefinite sentences in Queensland. The then Attorney, Matt Foley, stood up in this place and said—

I thank the honourable member for the question. I am aware of the honourable member for Warwick's call for indefinite jail for sex criminals. In the Courier-Mail of Saturday, the honourable member indicated that the coalition was considering amending the Criminal Code to keep offenders locked up until deemed safe for release. No doubt the honourable member wanted to advance himself and the coalition as being at the very cutting edge of law reform. There is only one problem: it has been the law of Queensland since 1945.

This is what this former Attorney-General, who held himself up as a great barrister in this state, said—

What is more, during the term of the Goss Government, the whole area of indefinite sentences was made the subject of amendments to the criminal law introduced by the former Attorney-General, the Honourable Dean Wells, to make it accurate, up to date and in accord with the needs of modern sentencing practices.

He further went on to say—

What we have is a shadow Attorney-General who wants to go out there and be at the very cutting edge of law reform to introduce something that has been the law since 1945! It is not the first time that he has got it wrong.

Once again the smear from the former Attorney—

He is a recidivist at getting it wrong! For somebody who aspires to the position of the first law officer of this State, he has still not withdrawn and apologised for getting it wrong in his statement to ABC Radio news on 31 July, when he said that 'it is legal for paedophiles to exchange child pornography free of charge'. Wrong, wrong; disgracefully, unforgivably wrong. I table the transcript of ABC Radio news.

I digress for one moment. I made those particular statements with regard to the exchange of pornography from paedophiles, saying the law was insufficient. People were slipping through the loops. Once again I was smeared by the member for Yeronga, the former Attorney-General. Do members know what he did? He said that I was wrong, and two months later he sneaked into this parliament criminal law amendments in this area which were the same as those that I was calling for to ensure that these people could not exchange that information. That is how much the former Attorney-General knew about the law in this state. He went on to say—

What we have is a shadow Attorney-General who simply does not know the law, but Mr Springborg's ignorance of the law is no excuse. The people of Queensland are entitled to expect ...

Mrs Attwood, the member for Mount Ommaney, a person for whom I have enormous respect, was tossed up a dorothy dixer by the former Attorney which was embarrassing, quite frankly, because it has made the government backbench complicit in the action, or the lack of action, on the part of this government in not fixing this area of law reform.

All they had to do was to look at this properly, look at it openly and look at it in a non-political way. The simple reality is that there was no way that we could hold offenders who were not indefinitely sentenced. The type of people we are dealing with have not been indefinitely sentenced. They are the ones who slip through the loops. They are the ones who are deemed very serious offenders at the time of sentencing. They are the ones who are given demonstrably long, definite sentences because of the legal precedent of the day, but with no effective way to revisit their sentencing option. They are the ones who, in a number of cases in Queensland, have been released from jail and gone on to commit even worse crimes, and then at some future time they have come back before the courts and been given an indefinite sentence. That was not good enough. We needed the capacity to be able to do it then, and we need the capacity to be able to do it in the future. That Attorney should have been applying his expertise in the law to actually address this problem instead of just making excuses as to why it was wrong.

Last month I put a question on notice to the Minister for Police asking how many offenders had been released from jail within a certain period of time without undertaking a sexual offenders rehabilitation course in our prisons. It is interesting to note that the Minister for Police went one day over answering that question and also reflected in the answer when it came in—on the very day that the government announced it was going to do this—that the government would soon be introducing legislation into parliament to put an indefinite sentencing regime in place for prisoners and these sexual offenders who have been definitely sentenced. He went against the standing orders of this parliament so the government could play games.

Mr Shine: What was the answer?

Mr SPRINGBORG: He went through and answered the question, which was that there were this number of offenders in a certain period of time who had not completed a sexual offenders rehabilitation course. That is fair enough.

Mr Shine interjected.

Mr SPRINGBORG: I have the answer here. It was updating a question which I had previously asked, which was how many people in the previous four years had not completed a sexual offenders rehabilitation course.

The issue I have in regard to this is that we had a question held back, not answered in this place, because it could have been potentially embarrassing for this government, in order to give it time to introduce legislation which potentially took away some heat. This is not about whose fault it is that people were released or whose fault it was that people were not released. When an idea was put forward three years ago, it was knocked over, ridiculed and lampooned by the Attorney-General of the day.

Even last week when I made a statement in this parliament about our policy of indefinite sentencing for these characters or a regime for it and I reflected upon the former Attorney-General's statement in the year 2000 that the law was not necessary because we already had it, he interjected saying, 'That's right.' Within a week we have legislation in this parliament, because the current Attorney-General knew that what I was saying was right but he refused to admit that we had this ongoing problem in Queensland which needed to be addressed. After this legislation is passed through the House today, I hope this will put us at the cutting edge of laws in this area across Australia. I would be pleased to know what the Attorney-General has to say about that in reply, because it is not before its time.

To pick up on the issue of sexual offenders in general, I note a column in the paper today by Matthew Franklin in which he talks about the need to rehabilitate offenders. That is true. We need

primarily to try to rehabilitate offenders. There is no doubt about that. That is one of the role of our jails, but there is also a role for our jails of community protection. There is also a roles for our jails in ensuring an appropriate level of punitive redress for the offences which people have committed. That ensures closure for the victims of crime and that of their families. Our jails are about rehabilitation. Our jails are about protection. Our jails are also about providing some degree of redress for the crimes that people have committed.

That is not to say that everyone can be rehabilitated. Some people cannot be rehabilitated; we all know that. Seventy per cent of people released from jail never reoffend. I understand they are the figures. Many people would be surprised to know that. That means that 30 per cent of people—they are the best figures that I have; the Attorney-General may have better figures—do reoffend. Sex offenders, particularly those who offend against children, have a much higher degree of recidivism—that is, reoffence rate—and they need to be dealt with differently, particularly those who are serious sex offenders. That is what we are talking about here.

I understand what Terry O'Gorman is on about, but I disagree with him. One thing I would have to say in acknowledgment of Terry O'Gorman's position is that the Queensland Council of Civil Liberties is extremely consistent in its approach, regardless of whom it is advocating on behalf of. Certainly we need the view that the Queensland Council of Civil Liberties advocates from time to time. It is very important because sometimes the body politic, as reflected in this place by members on both sides who are trying to deal with the concerns of the community at large, will not reflect the particular viewpoint that may be sympathetic to the offender. I make no apologies for not being sympathetic to the offender on this occasion, but we should not start any debate in this place with the premise that all people can be rehabilitated, because some people are basically bad. They are never, ever going to be anything else. Most people are basically good, but it makes no sense to have a regime which allows us to release people back into the community without the right sorts of checks and balances on those people who are basically bad and who commit the worst types of heinous crimes in our community.

The other thing we have to face up to is how we deal with these sexual offenders in general. Whilst many of these serious sexual offenders will not go on to reoffend, many of them will. Some figures which I received from the Police Commissioner a few months ago indicated that 468 serious sexual offenders had been released from our jails without doing a sexual offenders rehabilitation course. He said that the trend was basically the same in previous times. I acknowledge that.

The issue here is a recognition that there is a problem. I am prepared to acknowledge that. The issue is then what we do about it. The issue is how much we make available that particular course or those programs to sexual offenders. It would stand to reason to me that all these serious sexual offenders must face their guilt. They must admit that they have done wrong.

Ms Boyle: That is so easy to say. They do not feel any guilt, some of them.

Mr SPRINGBORG: I will come to that point because I think it is a valid point which the honourable member for Cairns raises. That comes back to what I have just said, and that is that some people are basically bad.

Ms Boyle: Unchangeable.

Mr SPRINGBORG: Well, unchangeable; they are bad. They are recidivists. That is why they are indeterminate prisoners, I believe. They are basically bad.

Even if we made a sexual offenders rehabilitation course compulsory, whilst some prisoners might change their ways and come to grips with the magnitude of the crime that they have committed and the impact that has had on their victims and their victims' families, for some people it will make no difference because they have no compassion and no basic human feelings. They do not care. People, women and children are just play things for them—and sometimes men and young men as well. We will never change those people. Notwithstanding that, I think we should seek to make these particular courses a condition of those prisoners' release. Then, if they have not successfully undertaken the course and if they are deemed to continue to be a risk, obviously the regime which we are bringing in here today will also move to protect the community.

It is very hard to say how many offenders we may be dealing with. We do not know whether it will be one a year, two a year or three a year or two or three every couple of years. We just do not know that yet. That is something that no doubt we will find out as time goes by. But it is interesting to note that, in the discussions I have had with Corrective Services officers in the time that I have been shadow Attorney-General and involved in this area, the people they have

warned the authorities about have been the ones who have gone on to be convicted of committing further crimes and some of these people have been sentenced indefinitely. So there is a lot of corporate knowledge and basic gut instinct that goes with being a Corrective Services officer. To hear some of the concerns that they have publicly expressed and addressed about the capacity of some of these people to reoffend has been rather disturbing. I think we have to take that on board.

I note that in the test the Attorney has set here—I think it is a community protection test or something along those lines—the application, which must be accompanied by a couple of psychologist or psychiatrist reports, will be made to the court and the court will make a determination based on that. We also need to very clearly establish that there are people who deal with these characters—these predators—in jail every day of the week, and they have a very good practical idea of what they are on about and what they are capable of, because they can read people. Our Corrective Services officers are pretty good at doing that. I note that the Attorney smiled at that comment. I know from my discussions with Corrective Services officers that most of them start from the premise that people can be rehabilitated, and the concerns they generally express have proven to be warranted.

As I understand it, the legislation before the parliament will apply only to serious sexual offenders. I have no problem with that. In his column in the *Courier-Mail* today Matthew Franklin asked why it did not apply to other offenders. Maybe that is an issue we will advance at some future time. However, what we are principally dealing with here are those people who are the greatest threat to our society—serious sexual offenders. In that article I read today we got caught up in the issue of murderers. Murderers are given a life term. Quite frankly, in relation to anyone who is given a life term it is not a problem, because the authorities can keep them for as long as they want. Maybe it is for all of their life, but that may not necessarily be so because it is another form of indefinite sentencing.

We are dealing here with people who are likely to be the greatest threat to our society, and they are the serious sexual offenders. As I understand it, when a person is indefinitely sentenced under the current indefinite sentencing regime the court will look at that every couple of years. There is a review of that situation—the possibility of release—every couple of years. I would like some further clarification of that point by the Attorney to see if my understanding is correct.

Mr Welford: Every year.

Mr SPRINGBORG: Is it every year or every couple of years? Under this legislation it is every year. I am asking about prisoners who are currently indefinitely sentenced.

Mr Welford: Two years.

Mr SPRINGBORG: Two years. That is what I was saying. Whilst some people might say that it should be longer, I think that is fair. The important thing is that an application will be able to be made to the courts to hold indefinitely a person who has completed or will be soon completing a definite sentence and who is considered to be a significant risk to the community. That currently does not exist under Queensland law. Some of these characters—once again, I am not sure whether it will be one, two or three a year or more; the honourable member for Cairns indicated this before—cannot be rehabilitated. No doubt their application for release will continue to be rejected. This is going to call for a great degree of diligence and consideration on the part of our courts and also those people who will be providing an assessment to the courts, principally the psychiatrists and the psychologists.

I have met a number of people in prisons in my time. I went out to Borallon once with the lifers association. That was a really interesting experience. Members would be fascinated by how much these people know about them. It is almost as if they profile people. It can be quite concerning. I was speaking to one there who knew exactly how many kids I had and knew exactly where I lived. This is the sort of thing that goes on. They read *Hansard*; they know what is being said in this place.

Mr Lawlor: Some form of torture?

Mr SPRINGBORG: Maybe because there is little else to do in prisons. Of course, many of them contribute by doing certain things, but I am saying that the range of activities is certainly more limited than outside prisons. The rest of us might read it because we are insomniacs, but I do not know why they read it.

We cannot underestimate their depth of knowledge of laws which are passed which affect them insofar as remand, release and those sorts of issues are concerned. When talking to some

of these people who have committed some fairly horrific crimes, we have to strip all of that away because some of them can be extremely convincing and very articulate; they choose their words very carefully.

I just say to our authorities as they are considering this particular law that they need to be aware that sometimes people are very effective at putting something across. It reminds me a bit of the *Shawshank Redemption*, a movie in which a bloke walked in and basically told the prison authorities what he thought they wanted to hear. That is why I suppose people are psychiatrists and psychologists; they have to go a bit deeper than that.

No doubt when this legislation passes through the parliament and these characters are facing this new legislative regime under which they may be held indefinitely, we will have to be very careful that they do not seek to give the impression that they are reformed when they are not necessarily so. In the past some of these predatory sex offenders have made statements, knowing that they could not be held, and have gone out and boasted about what they may have been able to do. Those incidents have, by and large, led to the introduction of this legislation. There is going to be more limited opportunity to detect those people, what they are capable of, their state of rehabilitation and potentially what may exist today. We need to be aware that some of them are fairly shrewd in the way they do things.

We have no problem with the legislation before the parliament. We would have preferred it to be introduced earlier. But, as I said, it is better late than never. We will be looking with great interest to see how this legislation is brought into effect. We believe that, if it is implemented in the spirit in which I believe the Attorney has brought it to the parliament, it will provide a greater degree of protection for our most vulnerable citizens, particularly those who have fallen victim to definitely sentenced offenders who have offended once they have been released from prison.

Mr LAWLOR (Southport—ALP) (3.17 p.m.): It gives me great pleasure to support this Dangerous Prisoners (Sexual Offenders) Bill 2003. At the outset I would like to thank the Leader of the Opposition for his history lesson. He has even resurrected the ghost of Denver Beanland, a former Attorney-General, who, in true coalition tradition, was neither an attorney nor a general. I know that he is sincere in what he says about this most serious issue, but he also has a very selective memory. He was a minister in a coalition government only five years ago and was able to do whatever he wanted then, I presume, and of course did nothing. But it is a very difficult issue.

Queensland currently has preventative detention provisions in the form of the indefinite sentence provisions of the Penalties and Sentences Act 1992 and the Criminal Law Amendment Act 1945. Under the Penalties and Sentences Act a court can impose an indefinite sentence on an offender convicted of a violent offence at the time of sentence if it is satisfied that the offender is a serious danger to the community and if the violent offence is defined as an offence that has a maximum penalty of life imprisonment. Similarly, it can be imposed in relation to certain sex offences that carry that same penalty.

Under the Criminal Law Amendment Act, this is old legislation which provides for the indeterminate detention of sex offenders both at the time of sentence and during the sentence, but the provisions need updating badly. If the court under the Criminal Law Amendment Act is satisfied on the evidence of two medical practitioners that the prisoner is incapable of exercising proper control over their sexual instincts and are—and this is the problem—capable of being cured, then those provisions can be applied. That then begs the question of what happens if that particular person is incapable of being cured. This bill introduces a modern and effective community protection scheme which empowers the court in appropriate cases to order the indefinite detention of any prisoner who, in the opinion of the court, poses a serious danger to the community because they will commit further serious sex offences if released. A serious sex offence of course is defined as one involving violence or against children.

The bill will also apply to existing and future prisoners regardless of when the offence was committed. The order will be made for the detention upon the application of the Attorney-General to the Supreme Court in cases where he believes that a convicted sex offender poses a risk of reoffending. In those cases, the court can then order that the prisoner undergo a risk assessment by two appropriately qualified psychiatrists who prepare a report for the court on the level of the risk posed by the prisoner in the event that he is released. The court then assesses the prisoner's risk of reoffending and imposes either a continuing detention order or a supervision order, which would also contain strict supervisory conditions upon release. The court can also take into consideration the medical evidence of course, the person's criminal history and any other evidence that indicates he may prove an ongoing risk, such as statements he may have made in

prison. In making a continuing detention order or supervisory order, the court must be satisfied to a high degree of probability that the prisoner would pose a serious danger to the community if these orders were not made. In determining which order to make, the paramount consideration is the need to protect the community. If a continuing detention order is made, that is reviewed by the Supreme Court at least every 12 months.

Detention of individuals is always the last resort of the court, but the law has never regarded detention as legitimately authorised—and this was already mentioned by the Attorney-General—only for the purposes of punishment. An equally important element of any custodial sentence is the contemplation of rehabilitation of the offender. An order under this act would be similar to detention under the Mental Health Act, except that protection provided to the public by the new law is founded not on the mental illness of a person but on a just as important principle—that is, that priority must be given to protecting the public, our families and children from the dangers that people of this nature cause and also their likelihood of committing such offences again.

Terry O'Gorman and other civil libertarians have expressed some concern at the provisions of this bill. They say that there must be some certainty in sentencing, and I am generally sympathetic to those views. But, unfortunately, there have been too many instances of seriously dangerous and violent sex offenders being released into the community only to reoffend after it has been discovered that whilst a prisoner, in some cases anyway, the offender has made no attempt at rehabilitation, which is such an important element of the sentence. In some cases, they have made threats or statements that they would commit similar crimes to those for which they are imprisoned and upon release actually do go and recommit those offences. It is particularly these types of recalcitrant prisoners who would be adversely affected by this legislation. It is unfortunate for them that in choosing between the civil liberties of dangerous and violent sex offenders and the safety of the community, particularly women and children, we must choose the community's safety. This bill will achieve that. I commend the bill to the House. I also congratulate the minister and his staff on getting this bill sorted out. As I mentioned before, it is a difficult issue which has been well handled by the Attorney and his staff.

Mr WELLINGTON (Nicklin—Ind) (3.24 p.m.): I rise to participate in the debate on the Dangerous Prisoners (Sexual Offenders) Bill. In speaking to this bill, I put on the public record that I will be supporting the minister with this bill. Notwithstanding that, I do have a number of questions that I hope the minister will find time to answer when he delivers his reply. I note that this bill has not been considered by the Scrutiny of Legislation Committee to date, and I refer to the comments made by the Leader of Government Business in the House this morning when I asked about the referral of the bill to that committee for consideration. If that committee comes back with adverse findings or concerns about parts of the proposed bill, what action does the minister propose to take bearing in mind that at this stage it looks like this bill will pass through all stages of debate and be finalised before we rise this evening and bearing in mind that the committee is scheduled to meet tomorrow? What action does the minister propose to take to any adverse findings that the committee may make when it meets tomorrow, bearing in mind that the committee has to finalise its report and then table that report in the House? I note that Thursday and Friday, both sitting days, will by and large be taken up with debate on the budget. I will wait to hear from the minister in that regard.

I note that there is an urgency about the introduction of this bill and the completion of debate on this bill. I ask the minister: is that urgency as a result of a number of prisoners about to be released on bail, or what is the basis of that urgency? I note that the bill does not, on my reading of it, refer to it being retrospective to any date. I certainly would not have had a problem with it being retrospective to today's date or some other date if there was a concern about some prisoners who were about to be released who may fall through the fine print. Assuming that this parliament passes this bill through all stages today, it may be another month or perhaps two months before it actually becomes a valid act of parliament in Queensland which is lawfully binding. I again ask the minister if he could comment on the likely date that this bill will finally be a valid act capable of being enforced in all regards with all provisions contained in the bill being fully actionable.

I certainly thank the minister for introducing this bill. I listened to the contribution of the member for Southern Downs during debate on this bill when he said that he has been lobbying for some time for this sort of legislation. It may have been as a result of the continued persistence of the member for Southern Downs that the government may have responded. I put on the record my appreciation to the member for Southern Downs for his persistence in lobbying on this

very important issue. While he may not be able to claim any direct credit, he certainly may be able to claim that his persistence has continually kept this matter before the current Attorney-General, the former Attorney-General and all members of both this government and the previous government.

I acknowledge that in the bill the minister refers to the importance of public policy and the protection of the public, families and children from the serious dangers of offenders and their propensity for committing such offences again. I also note that in the bill provision is made for the Attorney-General to apply to the Supreme Court for orders requiring that the prisoner submit to a psychiatric assessment. In terms of the capacity for the Attorney-General to apply for such orders, is there a provision, either in this bill or in any other bills, for the minister to delegate that capacity to someone else, or is that power only to be exercised by the minister and the minister alone when exercising that application to the Supreme Court?

I note also that in the bill there is a reference to the court undertaking a risk assessment of the prisoner in question by two appropriately qualified psychiatrists. I ask the minister: who chooses the psychiatrists? What does he consider to be appropriate qualifications for those psychiatrists? What happens if a prisoner or someone else wants to challenge the basis of a psychiatrist's capacity to undertake a risk assessment of the prisoner in question? What criteria does the minister believe are appropriate?

I note that there is also provision for the prisoner to appeal decisions that are made to the Court of Appeal. Is this appeal by prisoners to be funded through the provision of legal aid? How would prisoners access legal assistance? I presume that most prisoners would appeal any adverse findings that might be made as a result of the Attorney's application. Therefore, I presume that we need to allocate X dollars to ensure there are proper legal resources to enable them to lodge an appeal. If the prisoners do not have adequate funds to undertake their own legal representation or engage their own private legal representation, who will provide that legal representation to them and what does the Attorney anticipate the cost of that legal representation will be? I commend the bill to the House and await the minister's response to the questions I have asked.

Mrs REILLY (Mudgeeraba—ALP) (3.31 p.m.): I rise to support the Dangerous Prisoners (Sexual Offenders) Bill 2003. I do so with some reservations, which I have discussed with the Attorney-General, but also with the heartfelt belief that, all things considered, this bill is a good one and must be supported and that the Attorney-General and the Beattie government are doing the right thing in introducing it.

Essentially, the bill provides for the continued detention or supervised release of particular prisoners to ensure adequate protection of the community. It also provides continued control, care and treatment of these prisoners to facilitate their rehabilitation where possible. The need for this bill has come about due to growing community concern about the release of convicted sex offenders, particularly serious violent offenders who have committed very serious and abhorrent crimes.

The community has certain expectations, one of those being a protection from violent offenders—that is, protection of our personal safety and that of our children. Government has a duty to meet certain community expectations, where possible and where justified. In this case, this expectation, this concern regarding the release of serious violent sex offenders who are deemed to continue to pose a risk, is justified.

I know that this bill will not sit well with lawyers and civil libertarians, among them my husband and the other criminal lawyers he is in practice with. I can imagine what one of those lawyers, Sean Cousins, would be saying. He is a prominent civil libertarian criminal lawyer and, as I understand it, a good friend of the Leader of the Opposition. I wonder what he would be making of his comments today. I notice that, unfortunately, he is not here to consider those. I am sure he will in the future.

Most lawyers will strenuously object to this bill based on their singularly focused approach to their work from within the framework of the criminal law—an approach which they must take if they are to be effective advocates for those charged with abhorrent violent or sexual offences. I hold dear and vital the basic fundamentals of our justice system, that is, that an alleged offender receives a fair trial, an adequate penalty and a defined sentence or term of incarceration. Then upon effective rehabilitation and release, they have repaid their debt to society.

The proposed amendments in this bill represent a potential significant imposition on these fundamental truths and on the rights and liberties of prisoners serving a term of imprisonment for

serious sexual offences. I am not entirely comfortable about that, but I do believe that this imposition is justified and necessary in this case to protect the safety and liberty of those in our society who cannot do so for themselves, in particular children.

Let us not get hysterical about this, though. The provisions of this bill are confined to the most dangerous of offenders, those who have committed the most atrocious violent offences or sexual offences against children. They represent a very small number of prisoners. The Leader of the Opposition said that we do not know how many people this will apply to, but we do know how many. It will be a very simple matter of the judicial system looking at which offences people have been sentenced for and for what term. When they come up for release is the time the Attorney-General will make a decision to implement the provisions of this legislation.

The bill also contains sufficient safeguards to satisfy me that no person will be unfairly treated or inappropriately incarcerated. The bill provides for annual reviews. It clearly prescribes the requirements and parameters of the psychiatric assessment. It has adequate appeal provisions and, importantly, will allow only the Supreme Court to make such orders and only if the court is satisfied to a high degree of probability that the prisoner would pose a significant or serious danger to the community.

The bill also improves provisions that currently exist which allow the Attorney-General to make application for an indefinite sentence on a prisoner by updating and modernising provisions of the Criminal Law Amendment Act 1945. I know that the Attorney-General is also committed to ensuring that adequate and appropriate rehabilitation for these prisoners is made available to them.

In the end, this bill is about protecting Queensland's children, and I know that there will be few tears shed in the community for those prisoners who will be negatively affected by its provisions. This government has done what it has to: it has placed the safety of children and the protection of the community above other considerations. In this instance it is indeed paramount. But what we have done we have done within the constraints of sound legislation, and we have ensured that strict checks and balances and adequate safeguards to liberty have been included.

On the other hand, the opposition would have taken, and is still taking, a reactionary, alarmist, populist and regressive approach to this issue, as it does to most issues, because it lacks the solid principle, substance and ability demonstrated by the Attorney-General today. It would have the public believe that there are hundreds of such offenders either in prison or loose on the streets. This is clearly not the case. It would also have the public believe that with the introduction of this bill they are now completely safe from sexual predators and violent criminals. That is also not the case. However, the public will now know that they will not be at risk from known and proved sex offenders currently in prison who have not been fully rehabilitated. That is the only truth that they can take away from this. The Attorney-General and his staff are to be congratulated on approaching this vexed issue in the sound, sensible and measured way in which they have. I commend the bill to the House.

Mrs LIZ CUNNINGHAM (Gladstone—Ind) (3.37 p.m.): I rise to support the Dangerous Prisoners (Sexual Offenders) Bill. In the mind of most fair-minded people in the community this bill is more than welcome; in fact it is past time. The known difficulty of rehabilitating sex offenders, in particular child sex offenders and paedophiles, is being proven again and again. In the minister's second reading speech he made a reference to the fact that more modern science has indicated very clearly the difficulties, with respect to some offenders in particular, in ever getting them to the point at which they could be fully trusted in the community.

I have read the pieces that have been in the newspaper from Terry O'Gorman and other civil libertarians. I certainly can understand where they are coming from in terms of any moves by parliament, whether in this state or any other state, to undermine the tenets in our justice system that a person is innocent until proven guilty and that once they have been sentenced to and served a custodial sentence they deserve to be allowed to get on with their life. Those are strong and powerful arguments. But people who offend in this way leave their victims—it is an expression used over and over again—with a life sentence. Not only the victim but also the families of the victims can never, ever leave it behind. That is an element that must be brought into the equation in relation to these types of offences.

The minister said that the risk concerns not only the victims of the perpetrator but also other innocent families and children. I think that—and more so in the past few years—it is evident that the problem of child sex offences has been around for many years. That is evidenced by information that has come to light about offences that have happened 30 years ago and 40

years ago. The fact is that more and more innocent families are being affected to the point at which children at a very young age have to be educated about being wary of strangers, being wary of relatives—in fact, being cautious of everyone. In some ways, every child is affected by the actions of these mongrels, because in great measure we remove from small children an element of their innocence. We have to warn them about these sorts of perpetrators. That is a cost that the perpetrators never carry, but the rest of society carries in its endeavours—and in its parental endeavours—to protect children.

This bill will enable the Supreme Court to order the post-sentence preventive detention of sex offenders who pose a serious danger to the community. Earlier there was some debate in this chamber about the existing law already allowing for a court to impose an indefinite sentence on an offender convicted of a violent offence punishable by life imprisonment. For many in the community, the knowledge that that has been able to be done will be more frustrating than relieving, because so seldom has it been done. There have been instances reported relatively recently of grave sex offences being committed some years ago and those offenders now being released and the families of the victims and the victims themselves becoming prisoners of their own environment for fear of seeing, meeting, encountering, or being stalked by the person who offended against them so many years earlier. That is a question that I have to ask on behalf of the community. If the law allowed it, why was it not done more often? As the member for Mudgeeraba said, there are not many of these violent and gross sex offenders, but the ones who exist are horrendous. It begs the question as to why this opportunity has not been taken up more often.

The current law states that the court may direct that the offender be detained at Her Majesty's pleasure. I would like to reiterate that we have maximum sentences for a number of crimes. The community is now saying that harsher penalties should be in place for certain types of crimes—and they are usually violent crimes such as murder, rape and child sex offences, which this bill covers. The frustration in the community is that often the maximum penalty is not imposed and, from the community's point of view, a person who has committed a heinous crime is allowed to serve what the community regards as an inappropriately light sentence.

I commend the Attorney-General, because on a number of occasions—and in particular, more recently—he has appealed a number of sentences because they have been manifestly inadequate. Certainly, in relation to all the sentences that the Attorney-General has appealed against, I have received correspondence into my office expressing those same concerns and I have written to the Attorney-General about a number of those sentences. People are frustrated that, although the ability to sentence offenders exists, the courts continue to not apply what the community regards as an appropriately harsh sentence.

Prior to the courts sentencing that person to an indefinite custodial sentence, the person has to go through two psychological assessments. This is not a slight on the medical profession in any way, but the member for Nicklin asked about the qualifications of the people making those assessments. He also questioned the ability of the person being assessed to question their suitability. I would like to express my concern that those people who will be making the assessments are experienced in the criminal mind so that they can understand how manipulative these offenders can be in order to get their own way. There have been incidents where offenders have gone through all of the rehabilitation courses in jail, said all the right things, done all the right things, got out of jail and then reoffended, because they fundamentally did not have the belief system that they should have gained through those rehabilitation courses. So I reiterate the fact that the people who conduct these assessments need to be well experienced in the way the criminal mind operates.

The bill also says that if there is cogent evidence indicating that a serious sex offender poses a real risk of re-offending if released from prison, the Attorney-General can apply to the Supreme Court. I am sure that the answer to this question will be that it is drafting terminology—and this is no slight on the current Attorney-General—but I would love to see that clause read 'the Attorney-General must apply to the Supreme Court' for orders requiring the prisoner to submit to psychiatric assessment. If there is cogent evidence, it is imperative not only for the protection of the victims who have already been affected and their families but also for the protection of the community to ensure that anyone who demonstrates an intention or a leaning to be a repeat offender, has demonstrated an interest in violent or inappropriate sexual matters in prison, be assessed before they are released. It should not be arbitrary. It should not be a choice. It should be obligatory that that person be assessed because I believe that, for the offender to be released from jail and then

to reoffend, the damage to the victim is doubly emphasised because there was an opportunity to assess the prisoner's suitability for release.

The legislation states that if a continuing detention order is made, it must be fully reviewed by the Supreme Court at least every 12 months. The member for Southern Downs clarified that, if someone is imprisoned for the term of their natural life or at Her Majesty's pleasure, that review is every two years. I am concerned that every 12 months is too soon. I am sure that there are not going to be very many of these offenders. However, I wonder whether it would be possible for such an offender to bog down the whole process in legalities and therefore cause the department significant expense in having these matters reviewed. I assume that the review will include two more psychiatric tests. A significant amount of work has to be done, and a significant length of time has to be taken to have that work done.

I wonder whether 12 months is just too often. The civil libertarians would not like me saying that, but I know that there are people who can make mischief of a process. In the past, the Minister for Police has sought to change the FOI laws, because prisoners have accessed FOI material for the wrong reasons. So they are not always a group of prisoners who have the purest and noblest of motives and ideals. I am concerned that, in those 12 months, it will be possible for the process to get bogged down and the intent of this legislation, which is good, could be thwarted as a result of either vexatious or mischievous actions by the prisoner to be reviewed.

I concur with most speakers: any protection that we can give our young people from these predators is welcome. I believe that this bill should give some comfort and peace of mind to the victims of violent sexual abuse and their families. However, that peace of mind will occur only when members of the community see the courts use the power that this bill will confer on them; when they see people who are of a particularly nasty make-up actually given an ongoing custodial sentence on the basis of their intention or potential to reoffend. I certainly commend the Attorney-General for the bill.

Hon. T. McGRADY (Mount Isa—ALP) (Minister for Police and Corrective Services and Minister Assisting the Premier on the Carpentaria Minerals Province) (3.49 p.m.): I rise to support the Dangerous Prisoners (Sexual Offenders) Bill, which has been introduced by my colleague the Attorney-General. Whilst we can stand up in this place and debate and discuss various pieces of legislation, nothing gives me greater satisfaction than to see this bill before the House. Protection from harm is a fundamental right that each and every member of our community expects to enjoy. That is the case even more so when we talk about our kids. I am sure that all members will agree that children are our most precious asset. It is within this context that the community has been engaged for some time in a debate as to the appropriate approach which should be taken to sex offenders who present as being either incapable of participating in or unwilling to participate in rehabilitation.

As a father, no one issue has proven more difficult for me to confront in my capacity as the minister responsible for corrective services. During my time as a minister I have spoken with many members of the public. I have spoken to victims and their families. I remember one day when four or five victims came into my office just to tell me about their experiences when they were kids. They were grown up by this stage, but as they recounted what had happened to them during their childhood the tears were flowing. I found myself with tears in my eyes just listening to these people.

I have even been to the prisons to talk with some of our most serious sex offenders. A number of these prisoners have said to me, 'Minister, if you let me out tomorrow I will reoffend because I simply can't control my urges.' These were convicted paedophiles who were incarcerated for crimes committed against kids.

As the minister responsible for prisons, it has been a heartbreaking experience for me to basically sit back and watch prisoners of this mind-set being released into the community, because there is nothing I can do under present legislation to prevent these people from leaving the prison and going out. Today I congratulate the Attorney-General, because I am passionate about this bill. I, more than most people in this place, see the types of people we are dealing with.

The bill which my colleague has introduced is a significant response to one of the most difficult areas of policy making in the criminal justice area. Ultimately, the bill intends to make the community safer, particularly, as I said before, for our children. Before speaking about the specifics of the bill, I would like to offer some brief comments about the sex offender treatment program for the information of members of this parliament.

As at 2002 approximately 13 per cent of the prison population were incarcerated for sexual offences. In total, during 2002-03 we spent almost $1 million on a range of sex offender programs. Last year I personally went through the budget of the department and saved $100,000 by reducing travel, conferences and workshops for people in the department. This has allowed the provision of two community sex offender programs in each of the four community corrections regions. This is a net increase of 100 per cent on the programs we offered. It has allowed the sex offenders intervention program to be introduced into Woodford and Borallon, so that each male secure custody centre facilitates this course; the continuation of funding for the third sex offender treatment program at Wolston Correction Centre; and the provision of an additional indigenous sex offender program at Capricornia Centre, effectively increasing the capacity by 100 per cent from one to two programs per year.

The department has a number of sex offender programs that address the different risk levels of offenders. The indigenous sex offender program and the sex offender treatment program provide interventions for very serious and high-risk sex offenders, for example rapists and paedophiles. The community sex offender program provides treatment for offenders referred from the court who are usually on probation or on parole. The department is currently revamping all of its sex offender treatment programs to break them up into stand-alone units which will enable better targeting and the participation of more offenders. They will also be updated to include the latest research and practice findings. This will ensure that our programs are amongst the best treatment intervention programs in the world.

My grave concerns about the risk posed to the community by the most serious category of sex offenders prompted my discussions with the Attorney-General regarding the urgent need for legislation in this area of law. Today we see the results of the work which the Attorney, his staff and his department have done. I was of the view that we needed laws to provide for the ongoing protection of the community and to provide continuing control, care or treatment of dangerous prisoners in appropriate cases. Regrettably, there are some sex offenders who cannot be treated or who choose not to participate in treatment and who represent an ongoing threat to the community.

The simple solution would be to force offenders to complete programs, but I do not believe that this is the complete answer to the problem. As one paedophile said to me inside the prison, 'You can lead a horse to water but you can't make it drink.' That is just so true. This is why the bill introduced by my colleague the Attorney-General introduces a community protection test.

Under the government's bill, completion of programs will not be the sole determinant of an offender's suitability to be released. Their risk to the community will be the overriding consideration. I might add that this bill differs somewhat from the bill put forward by the Opposition Leader three years ago. As the member for Southern Downs told the parliament when he introduced that bill—

> No existing prisoner will be affected by the new law for the sentence they are currently serving. No-one convicted of an offence before the Bill is assented to will be affected.

The Opposition Leader's bill would not have made any difference to the likes of Dennis Ferguson. Indeed, it would not have made any difference to our most serious offenders who are serving long sentences today.

This bill is somewhat stronger because it will also apply to prisoners currently within the system. In appropriate cases the Attorney-General will apply to the Supreme Court for the indefinite sentencing of offenders deemed to pose an ongoing risk to our community. This bill does not seek to punish offenders further for their crimes but recognises that in a small number of very serious cases a prisoner's continued detention or supervised release into the community may be needed for community protection. This is a difficult area of the law to legislate, but I am strongly of the view that this legislation is very necessary. I am also strongly of the view that the process provided in the bill for the consideration of continuing detention orders or supervised release orders is a fair one in all of the circumstances. It is essentially judicial in nature, but it will allow for the legitimate concerns of authorities to be taken into consideration.

Through this bill the government has acted to protect residents from offenders who pose an ongoing risk to community safety. I commend my colleague the Attorney-General for his responsiveness to this issue. I know of the work that he, his staff and his department have done to bring this bill to the House, and I commend this bill to the House. I would expect and hope that the vast majority of the members of this parliament will support it.

Mr SHINE (Toowoomba North—ALP) (3.59 p.m.): Might I, at the outset, congratulate the honourable member for Mount Isa, the Minister for Police and Corrective Services, for speaking in this debate, because it illustrates not just his concern in relation to child protection in our community but also the government's resolve to see that what can be done is done. So I congratulate him for his input into this debate, which I found very informative, particularly his experiences in dealing with prisoners as Minister for Corrective Services.

The reason the government is bringing in this legislation, as stated by the Attorney-General in his second reading speech, is that violent sex offenders and paedophiles who are not rehabilitated raise the real possibility of reoffending. This, in itself, poses a real risk to the community that cannot be ignored. There are two existing laws relevant to this area. As I think my friend the honourable member for Southport probably indicated, the first is the Penalties and Sentences Act 1992, which, with respect to this matter, empowers the court to impose an indefinite sentence on an offender convicted of a violent offence punishable by life imprisonment if the court is satisfied the offender is a serious danger to the community.

The limitations on this are several. Firstly, the application to impose an indefinite sentence on this type of offender for a violent offence can be made only by the Director of Public Prosecutions—that is, prosecution with the Attorney-General's consent—and it can only be made at the original trial—that is, at the sentencing stage at the time of conviction. So that is the grave restriction with respect to applying the Penalties and Sentences Act 1992.

The other act is the Criminal Law Amendment Act 1945, to which reference was made by the honourable the Leader of the Opposition. That provision provided for indeterminate detention of sex offenders both at the time of sentence and during imprisonment providing a certain number of provisions were complied with: that is, if a court is satisfied on the evidence of two medical practitioners that a prisoner is incapable of exercising proper control over his or her sexual instincts, that such incapacity is capable of being cured by continued treatment and that it is desirable that a person be detained in an institution after the expiration of a person's sentence. If all those things are satisfied, then the court may direct that the offender be detained during Her Majesty's pleasure at the expiration of that term of imprisonment. I would recommend to honourable members and to anyone reading this debate in *Hansard* that they refer to the Attorney-General's second reading speech which sets out well the reasons why section 18(4) of the 1945 act has rarely been used. It is not serving its designed purpose nor meeting the need which the community expects at this time.

Having regard to the imperfections in both those laws that I have referred to, the government—responding to community wishes and appreciating that detention is meant not only for punishment but also embodies the concept of the protection of the public, as the Attorney-General referred to—has brought in this legislation. It is important to reiterate that the scheme here does not just provide for a sentencing process. It is separate from that in the sense that it provides for detaining persons who are seriously dangerous, convicted, violent sexual offenders with a risk of reoffending. So the priority really is the public interest.

As I recall, the honourable the Leader of the Opposition said on TV the other night that it was a regret the government had not brought this type of legislation in about three years ago because that is when he suggested it. He said that during the intervening period of time 300 or 400 people in this category had been released from prison. I just wonder about the accuracy of that statement. I wonder whether in fact—

Mr Wilson: It may be a wild claim.

Mr SHINE: It may be a wild claim, as the honourable member for Ferny Grove says. No doubt there have been 300 or 400 people released from prison who may have been there for sexual offences, but I doubt whether they were the type of people to which the honourable member for Southern Downs was referring, or gave the impression he was referring to, on TV. If it were the case that 300 or 400 sexually violent people had been released over that period of time, I think we would have heard about it—if in fact the inclination of these people reoffending is beyond their control and they will reoffend. The effect on the community would have been noticed by now. However, there may be some evidence to support what the honourable the Leader of the Opposition said, and if that is the case then perhaps the Attorney-General could inform the House of those sorts of statistics.

Reference has been made to claims by civil libertarians, particularly claims by Mr Terry O'Gorman, basically following the line that if a person has served time for that crime then that is the end of the matter. That person has paid his debt to the community and should be able to be

released and get on with his life. To a lot of members in this House, but especially to those who have a legal background, that has a meaning with which we are familiar. To detain people without being charged or convicted of any further offence is something that our whole system of law going back to the Magna Carta does not support. For example, the circumstances raised by Sir William Deane the other day of the two Australians held at Guantanamo Bay without being charged or without a trial of any sort are instances that we would hope do not arise in this great country of ours, with our ideals and our history of freedom.

Mr O'Gorman, for whom I have a high regard as a very talented and capable lawyer, in the mould of Dan Casey, said in the *Courier-Mail* yesterday that the proposal of the government was fundamentally flawed because the High Court had maintained over decades that the 'science' of predicting reoffending was so inexact and uncertain that it could not be used in court. I think that is a serious enough matter that he raised for the Attorney-General perhaps to comment on in his summary.

Finally, reference has been made to the article in today's *Courier-Mail* by Matthew Franklin, whereby he argues that the law should be equally applied to offenders who have committed offences of other natures as well. Why should murderers be treated any differently? Why should serial burglars be treated any differently? Indeed, why should terrorists be treated any differently?

He raises the argument of why special treatment is being meted out to these people. I suppose the short answer is that in relation to these crimes, particularly as they have become far more known to us, especially in terms of child sexual abuse cases and the like, the community has responded and has told its law-makers that that is what it wants.

He also raises the need for rehabilitation. The honourable Minister for Police and Corrective Services made reference to what is going on at the moment in his department, which is laudable. Frankly, I have summarised his argument that applying this law to these people was a bad legal precedent, particularly when the existing law could have been revamped to provide general protection against all non-rehabilitated criminals, not just sexual predators. No doubt the Attorney-General might care to comment on that article, because it certainly received a lot of prominence being in the Queensland daily today.

At the end of the day, the community has indicated that it wants a safe society, particularly for its children. Any doubts that I have are tempered somewhat by the fact that the whole process will be judicially reviewed and reviewed on a yearly basis. The only query I have of the Attorney is: could he give us some more information about the psychiatrists who are going to be relied upon and how their independence is to be guaranteed? Are they to be publicly appointed by a panel so that we will know its members in advance? Will input from the Bar Association and the Law Society be sought as to the composition of such a panel of psychiatrists? I would ask that those matters be addressed, if at all possible. I commend the Attorney and the government for addressing this topic.

Ms NELSON-CARR (Mundingburra—ALP) (4.12 p.m.): I am happy to rise in support of this legislation, which is another responsible bill aimed at protecting the community from violent sex offenders and paedophiles who refuse to rehabilitate. I congratulate the Attorney-General on once again listening to the people and bringing forward protective legislation. I would have to agree with the member for Southport, who expressed some concern with the position of the Leader of the Opposition that this legislation is long overdue. I would have to agree with him. The Leader of the Opposition did have the opportunity as a minister—and I am sure that the then Attorney-General, Denver Beanland, would have listened to him had he raised it at the time—

Mr Lawlor: Assuming he listened.

Ms NELSON-CARR: Yes, that is assuming the then Attorney-General listened. I do believe that the Leader of the Opposition has every good intent.

I was also very surprised at the absolute outrage of the member for Nicklin this morning when he expressed his concern at the urgency with which this legislation was being brought forward. Scrutiny of legislation is very much a part of our democracy and, of course, is welcomed. The member will be able to do just that retrospectively. But in the meantime it has become imperative that we bring this legislation on so that the unacceptable level of risk posed to innocent victims and their families is removed. Any serious sex offenders who pose this level of risk to the community will now be under a Supreme Court order for post-sentence preventative detention. Currently, lifers convicted of a violent offence can receive an indefinite sentence, but only after the DPP intervenes and in partnership with the Attorney-General's consent at the time of the conviction. The concerns expressed by civil libertarians need to actually focus on the rights of

innocent victims in this debate, because decisions of indefinite incarceration will never be authorised lightly or without reasonable cause based on legitimate grounds.

The issue of rehabilitation of criminals has always been a key Labor philosophy. Giving prisoners the right to rehabilitate and become a functioning member of the community on release is always our desire. However, we need to be realistic when considering public protection in light of the facts, that is, a seriously dangerous and violent sex offender who refuses rehabilitation despite completing his sentence and whose risk of re-offending is likely must not be given the opportunity to do so. This bill provides a separate process for detaining predators like this and it needs to be noted that it is not part of the sentencing process. I am pleased that this new law applies to any sex offender in prison regardless of when their offence was committed.

Whilst Queensland Corrective Services does not publish statistics of recidivism rates of paedophiles and sex offenders per se, it does provide data on overall recidivism rates for all criminals. However, much research has been conducted internationally and nationally which suggests that, despite the difficulties of conclusive evidence, the magnitude of the problem of child sexual abuse generally and offences by recidivists in particular is such that, while the costs are substantial, the associated benefits to be achieved from appropriate treatment programs are very high. I will just briefly mention a couple.

Prentky and Burgess in 1990 suggest a 40 per cent recidivism rate for non-treated offenders versus a 15 per cent rate for treated offenders. Another analysis conducted by Hall in 1995 indicated that untreated sex offenders were re-offending at a rate of 27 per cent, compared with 19 per cent for treated offenders. A comprehensive report evaluating the Kia Marama treatment program in New Zealand over 10 years revealed that the treated group had a recidivism rate of eight per cent, compared with a recidivism rate of 21 per cent for the control group. In Canada federal officials have proudly pointed to government statistics showing that only six per cent of sex offenders repeat their crimes within three years of their release from prison. However, researchers who study sex offenders say that the recidivism rate jumps to about 50 per cent when the criminals are tracked over a decade.

Another one which comes out of the *Clinical Psychiatry News* suggests that more than 80 per cent of sex offenders who had undergone treatment do not reoffend within 15 years, according to preliminary results of a 15-year prospective study of 626 individuals reported at the annual meeting of the American Academy of Psychiatry and the Law.

Despite the research being limited, when I actually think about my own children, my extended family and young innocent children whom I have taught in the past, I think that I would do everything in my power to protect them from any harm, let alone a violent sadistic act perpetrated upon them. It is the one time when I think civil libertarians have lost the plot. The big, round trusting eyes of a child must be protected at all costs. To snuff this out and to snuff out their innocence, which is a birth right, is the worst kind of savagery and it must be prevented, particularly when it comes with violence and power. This innocence is never recaptured and fear, lack of trust and low self-esteem are often the eternal outcome for the victim and their family. Molestation, rape and murder of children by unrepentant offenders must not be tolerated. An untreatable psychopath without a conscience must not be protected anymore by civil libertarians gone mad. I commend the bill to the House.

Miss SIMPSON (Maroochydore—NPA) (4.17 p.m.): I strongly support this legislation. As the Leader of the Opposition, Lawrence Springborg, outlined earlier, this is similar to legislation which he proposed three years ago and which he called on the government to introduce because of our concerns about the impact of predators who have come into contact with the law and who are subsequently released to re-offend. This legislation obviously reflects a change of heart on the part of those on the government benches and I welcome it because tragically, as the previous speaker outlined, there is a high recidivism rate with certain types of offenders.

I believe in the ability of people's lives to be transformed. Where they come from is not where they have to end up. I have friends who have come out of prostitution, drug abuse and alcoholism and they are wonderful people. They have walked through dark valleys. It is possible for people to have their broken lives healed. Tragically, sexual abusers have often been abused themselves. It is a destructive cycle of abuse which is repeated generation after generation. However, I have no sympathy for those who abuse others. They must be responsible for their actions. They do forfeit their rights when they hurt others in this way, particularly children.

The ability to rehabilitate violent sexual offenders and paedophiles is so limited that even with the best of programs there is the ability for up to 10 per cent or more to reoffend, and that has a

significant impact. With other types of offences or addictive conditions—for example, drug abuse—there is often a high rate of failure. People may cycle through rehabilitation a number of times before they come to a point where they are able to become free of that addiction, if ever. But those who have persisted over time may go backwards before they go forwards. The difference with sexual abuse, particularly paedophilia, is that the failure rate—any cycling back—is not just a damage against the person offending; it is a damage against the child. It is a damage against somebody else, unlike other types of offences such as drug abuse. The impact is just too stark.

These days there is growing awareness that, tragically, child abuse in our community and in our nation has not been spoken about. It should be welcomed that this is being talked about more thoroughly, but the debate as to the impact of child abuse is still to ripen and hit public consciousness. When I talk to people involved in, say, prostitution, I find it astounding to discover the number who have come from a child abuse situation. The figures clearly show that there is a strong correlation between that lifestyle and a background of child abuse. In terms of mental illness and suicide—obviously not everybody who ends up with a mental illness has necessarily been abused as a child—once again the correlation between having been abused sexually as a child and having a mental illness is much stronger than it is for the average member of the community. In terms of women in prison and those who have gone through the criminal justice system as a result of crime, once again there has often been a history of child sexual abuse.

What this does to destroy a child's identity and to detach them from the rest of the community and the values the broader community holds is absolutely devastating. This is the next debate that needs to be had as the issue of child abuse comes more and more to centre stage, as we as legislators and as community leaders seek to find better ways of protecting the vulnerable in our community. This legislation is needed because the rights of society to be protected outweigh the rights of individuals who have already perpetuated terribly destructive acts by way of violent sexual offences as well as sexual offences against children. The rights of society to be protected do outweigh, in this case, the rights of the individual.

I support the legislation before the House. I believe that the implementation of this bill needs to be carefully monitored and that as a community we need to be increasingly vigilant about those who seek to hurt children and seek to take advantage of the vulnerable, particularly those who are disabled and have an inability to articulate for themselves and to speak up and be taken credibly as witnesses. We must be their eyes and ears and be there to protect them. We also need to look closely at how we break that cycle of abuse which has wrought such incredible destruction in so many people's lives—from mental illness to prostitution to drug addiction.

Ms NOLAN (Ipswich—ALP) (4.23 p.m.): I rise to add my carefully considered but also heartfelt support to the Dangerous Prisoners (Sexual Offenders) Bill, introduced to the House by the Attorney-General. This bill, as has already been canvassed, creates the capacity for the extension of sentences on a year-by-year basis for prisoners who have committed violent sexual offences or sexual offences against children and who have reached the end of their sentence but remain a risk to the community. The process the bill sets down is that when a prisoner who has committed such a crime but is not considered to be rehabilitated is nearing the end of their sentence the court will have the capacity, on the advice of two independent psychiatrists, to order either that the prisoner be released with intensive supervision or that the prisoner remain in prison. If the prisoner is detained beyond the end of their sentence, this determination will be reviewed through the same process every 12 months.

This is groundbreaking legislation unlike any other in Australia, and it does impinge on one of the fundamental legal principles—that is, do the crime, do the time but then that is it. This is a big step for the government to be taking, and legitimate civil liberties concerns have been raised. I have given these matters considerable thought over some time and I am strongly supportive of the bill for a number of reasons. Firstly, the creation of an effective indefinite sentence for violent sex offenders and paedophiles is not legally new. There already exists in the law the capacity for prisoners to be granted an indefinite sentence when they are first convicted. This bill deals only with those who are proven serial offenders but who, for whatever reason, have not been given an initial indefinite sentence. It only affects about a dozen people currently in the prison system.

The second and more significant reason for my support is that it protects the community from violent sexual offenders. There are people in the community who are driven to commit terrible sexual offences, including sexual offences against children, and who, while they may not be considered by mental health professionals to be insane, seem unable or unwilling to stop themselves from doing it again. These people, though there are very few of them, are a real risk

to the community. In committing such awful crime they have lost many of their rights and the community must be protected from them.

Ipswich has experienced the kind of horribleness and hysteria that can be created in the community when fears of these types of offenders arise. In January this year a huge scare was created in Ipswich around just such an offender. When Dennis Ferguson was released from prison after kidnapping and sexually assaulting a number of children, he had shown no remorse, undertaken no rehabilitation program and may well have been a real risk to the community. The *Queensland Times* ran a front-page story about Ferguson's release, alleging that he was going to move to a house in West Ipswich.

Mrs Carryn Sullivan: We had the same on Bribie Island—exactly the same.

Ms NOLAN: I am sure that there was hysteria all over the place. Even if it may not have been true, it did sell papers. It is now history that some drunk went around to the house in the middle of the night and broke its door down, just as it is history that Ferguson never moved there. Indeed, given that he was supposed to be going to Ipswich and supposed to be going to Bribie Island, I do wonder if there was ever in fact any evidence that he planned to go there.

Mrs Carryn Sullivan: There was no truth in it at all.

Ms NOLAN: Yes, I am not surprised. In this case there was wrong done on a number of points. The vigilantes who took it upon themselves to break someone's door down had no right to do so. The *Queensland Times* acted irresponsibly by fuelling people's fears and the law at the time was insufficient to keep Ferguson in prison. This legislation deals with the government's responsibility in that kind of fairly ugly scenario. While it is difficult and controversial legislation, this change to the law will protect people, particularly children, from violent serious sexual offenders. That is a move which I believe must be given priority over virtually all other considerations. I commend the bill to the House.

Ms BOYLE (Cairns—ALP) (4.27 p.m.): I support the Dangerous Prisoners (Sexual Offenders) Bill 2003, which targets a small group of people but a very seriously deficient group of people—that is, violent sex offenders and paedophiles who are not rehabilitated. That is the part of the bill that I particularly want to address—that is, those who are in prison with that history and who are not rehabilitated. The reason they are not rehabilitated is that, in truth, we do not have the ability, the knowledge and the expertise to rehabilitate them. This is not from a lack of effort on the part of psychiatrists and psychologists and others in the circumstances. Rather, it is a matter of regretful fact that we have been unsuccessful at finding what may be regarded as a cure for such people. It certainly is not a matter of a lack of effort. What is not understood by many people is this: they are not rehabilitated despite the amount of training or attention paid to them by appropriately qualified experts.

What is also not understood is why they are not classified as mentally ill—as people who are insane—and therefore kept at an appropriate mental institution, if necessary for the rest of their lives. It is a matter for the classification of mental illness, and that is a matter for experts. The most common diagnosis for violent sex offenders and paedophiles who refuse to rehabilitate or do not complete rehabilitation successfully is personality disorder. Personality disorders are not the same as a classification of mental illness. The personality disorder most commonly found is around the cluster of sociopath. These are people who demonstrate, often from a very early age, a lack of conscience or moral code by which to operate. They lack feelings of guilt or remorse for actions that they may undertake that cause harm to others. In its extreme, in the circumstances to which we refer today, this is in relation to children, against whom they may offend sexually and against children and adults towards whom they may be violent in a sexual context. We wish we had a cure for such individuals; that they could be rehabilitated.

I wish to discriminate this small number of offenders from those who may presently be in prison or who may be given non-custodial sentences for sexual offences where they admit these offences and where they do undertake rehabilitation, whether through training courses or treatment by a psychologist, a psychiatrist or both, and where they are successfully rehabilitated. Generally, such people have committed what may be regarded as more minor offences. Their whole demeanour and attitude in response to the offences is very different from the group we are targeting under this bill.

I pay particular recognition to the tremendous team that works in the Department of Corrective Services in Cairns and looks after those around far-north Queensland. They have a difficult job and not one in which there is much fun and good times, yet they have been innovative in and put tremendous effort into the treatment of sexual offenders. I congratulate

them on their determination and expertise and recognise the tremendous work that they have done and that has been used to further those programs around the state of Queensland.

I would also like to recognise the importance of the efforts of the Minister for Police and Corrective Services in financing and supporting efforts towards ensuring that we have the best treatment opportunities in the world for those on non-custodial as well as custodial sentences in our prisons to ensure that those who can be rehabilitated are rehabilitated. But for those who cannot be, who choose not to be, who refuse to face the fact that their acts are not only criminal but against humanity, who instead blame others, who deny their actions or, even worse, maintain some view that their actions are perfectly okay, it is right and appropriate that they stay in prison behind lock and key for as long as it takes—forever if that be so.

When it comes to a matter of rights, yes, I suppose in one way we are overriding their rights by saying that the rights of children and innocent families to safety and protection in society come ahead of the rights of these violent sex offenders—these paedophiles who are not rehabilitated. I support the bill.

Mr CHOI (Capalaba—ALP) (4.33 p.m.): This afternoon I rise in support of the Dangerous Prisoners (Sexual Offenders) Bill 2003. The objectives of this bill are to enable the Supreme Court in appropriate cases to order the post-sentence preventive detention of sex offenders who in the opinion of the court pose a real and serious threat to the community if released at the sentence expiry date. This bill also empowers the court to make strict supervision orders for offenders the court believes can be released so long as they are accompanied by appropriate supervision.

There is no question that public awareness and concern about sexual crime have increased in Australia in recent years. In Queensland official statistics indicate that the rate of sexual offences reported to police doubled between 1994 and 1998, from 92 per 100,000 people to 190 per 100,000 people—a jump of more than 100 per cent. Sadly, the majority of these offences were committed against children younger than 16 years of age. However, there is no clear evidence that the incidence of sexual abuse itself is increasing; rather, increased reporting rates appear partly to reflect a greater willingness by victims and others to report allegations of sexual crime. Many sexual offences are not reported until long after they have occurred. Nevertheless, there is now widespread acceptance that sexual crime, particularly child sex offences, is a major problem for our community.

This bill will empower the court to order the indefinite detention of any prisoners who in the opinion of the court pose a serious danger to the community because it is likely that further sexual offences will be committed if the prisoner is released. Needless to say, the court must assess the prisoner's risk of reoffending and also take into consideration medical evidence, the prisoner's criminal history and any other evidence that indicates that they may pose an ongoing risk. That is not to say in all fairness that this legislation has no downside.

In an article in today's *Courier-Mail* Matthew Franklin remarked that everyone deserves equal treatment before the law. What he was saying is that if we do the crime we do the time, but that once we have done the time we should be let free, whether we are a bank robber, terrorist, burglar or serial rapist. Firstly, I acknowledge and respect the importance of treating everyone the same before the law. That is fundamental to our legal system and our system of beliefs. Therefore, I agree that there may be occasions, no matter how infrequent, when a prisoner who has genuinely been reformed or rehabilitated may be classified as a continuing threat to society under this bill and therefore be unable to go free after serving the original sentence. That is why this bill consists of a lot of checks and balances. These ensure that this risk is minimised.

However, having said that, I think there are fundamental differences between, say, a bank robber and child sex offenders. A bank can implement procedures to reduce its risk. A bank can engage security guards and deploy electronic devices to safeguard its wellbeing. In other words, a bank can look after itself to a large extent. No policy, no procedure and no electronic devices can ever completely safeguard a child. A child cannot, by its nature, protect itself. A child is by nature innocent, trusting and naive. A child relies on somebody else to protect it. A child relies on us as adults to protect it. Far too often the person a child trust ends up being the person who abuses them.

This bill might not be fair to those prisoners who have genuinely rehabilitated and who may get caught by this bill. But I ask myself how fair it is to our children, the most vulnerable members of society, that we, the adults, fail to protect them by allowing known offenders back into their neighbourhoods, parks and schools, if the prisoners have shown no evidence of rehabilitation and sometimes have even refused to participate in programs that may help them integrate back into

the community just because they have done their time. On balance, I will protect children rather than prisoners every time. It is our obligation, our duty and our role; there is no other alternative.

Secondly, we need to be reminded about the purpose of our prison system. The community expects the prison system to serve at least two purposes. The first is to punish, that is, by removing the freedom of anyone who commits an offence against the law of the land. Secondly, it is to rehabilitate the offender so that he or she will not offend again. This bill says that simply doing the time for sexual offences is not good enough. Any offenders who want to go free must demonstrate that they have also been rehabilitated. This bill delivers the outcome that hopefully will meet community members' expectations.

Mr Franklin also posed in his article the question of why a government that is responsible for the laws of the land should create special rules for particular types of criminal. He said that there are three answers. Firstly, there is a high level of community fear about sex crimes, and Mr Beattie sincerely wants to protect children. I totally agree with that. Secondly, he said that it is good politics. Government is by the people, of the people and for the people. If this is what good politics is, I am willing to be part of the guilty party.

Thirdly, he said that it is much easier than spending more money on rehabilitation programs. With respect, I cannot agree with that. It costs over $60,000 to keep a prisoner in jail for a year. It would be far cheaper to let the prisoner walk free, ask him to come to the local community centre once every Thursday night to go through some kind of rehabilitation program—to discuss his sexual dreams and desires, have a nice cuppa, hold hands and sing a few songs. It is nice, but it is also dangerous.

In closing, I remind the House of Megan's law of New Jersey, USA. Megan Kanka, aged seven, was raped and murdered by a twice-convicted sexual offender. He was released back into the community simply because he had done his time. I also remind the House of Sarah's law of the United Kingdom. Sarah Payne was snatched by paedophile Roy Whiting while playing with her sister on a summer afternoon in the Sussex countryside. Roy Whiting had a previous conviction for abduction and indecent assault on a nine-year-old. He was sentenced to four years in prison, served only two and a half and, on his release, he was able to strike again. But this time, he struck with fatal consequences. I thank the Attorney-General and his staff for their wonderful work in bringing this bill for the consideration of this House. Nothing—and I say again, nothing—is more important than the welfare of our children. It gives me great pleasure to support the passage of this bill through the House.

Mr FLYNN (Lockyer—ONP) (4.41 p.m.): I rise to speak briefly to and support the Dangerous Prisoners (Sexual Offenders) Bill. The intent of this bill is clearly to fill the gaps in our present legislative framework to protect the public, particularly young people, from hidden but anticipated dangers. Sex is a basic human urge, difficult to quantify and, in some cases, it appears difficult or beyond the capacity of some adults to control. The bill seeks to protect society from apparently uncontrollable human instincts where, despite having served a period of punishment, an offender has shown that he or she will continue a previously demonstrated course of conduct. I believe that it is commendable that we have an intent to protect society, relying upon information not available to the judge at the time of sentencing. Frequently, the information comes from the offender's appearance at counselling, attendance with medical practitioners, psychologists and, indeed, from fellow prisoners to which the prisoner has, in actual fact, not only recounted his or her sins but also has shown an intent to commit those offences in the future.

Notwithstanding my overall support for this bill, I find it difficult to understand why a conflict has arisen when we refer to the part of the legislation that addresses the assertion that some adults are incapable of exercising proper control of their sexual instincts compared with the statement that the community cannot be protected from a potentially dangerous individual who is regarded as not mentally ill under the mental health legislation. Surely, the answer might be to amend the Mental Health Act to ensure that the offender compulsorily undergoes therapy for the perceived condition of lack of control rather than relying upon the offender pleading guilty and admitting the offence thereby being eligible to undergo the course in custody.

We need to understand that in order to qualify to undergo a course of rehabilitation, a convicted offender must acknowledge that they committed the offence—acknowledge guilt. But a fundamental cornerstone of our justice system demonstrates a prisoner's right to appeal against conviction where the original plea was not guilty. Given this fact, it makes it difficult for a prisoner to show willingness to cooperate with the rehabilitation process, which would surely be better than nothing, even though they deny still having committed the original offence.

I am quite happy with the machinery parts of the bill as they appear to offer safeguards against the excesses of zeal that are sometimes shown by police and the judicial system in general. But I ask that consideration be given to offenders who maintain their innocence—that they should be allowed to undergo courses willingly and, in the process, assist attending medical practitioners to assess their capacity to control their urges in the future. If the offenders continue to deny the offences, that does not mean to say that they are not willing to cooperate with society and say, 'If you think that you have got something to tell me, I will listen and in that process you can understand whether, in fact, you think that I am a future risk to society.'

Certainly, there has to be a weighting process employed when protecting our young people, given their disadvantaged position. But I ask that we remember that our prisoners must be guilty to be sentenced and they, too, need the protection of our justice system. Overall, I would have to say that this bill is commendable legislation. I look forward with interest to seeing how it operates in the future—whether there are any flaws that arise. I commend the government for introducing this legislation. I support the bill.

Mr MICKEL (Logan—ALP) (4.45 p.m.): At the outset, I congratulate the Attorney-General on listening to concerns that I and others have raised in connection with cases that have been brought to me by constituents. I sincerely thank the Attorney-General on behalf of those long-suffering families and, worst of all, the victims, who have been put at risk.

Sex offending is the most insidious type of offence that can be inflicted on a victim, because it deprives them of their dignity and has lifelong consequences. Research has shown that sexual abuse has a number of adverse consequences for victims, including increasing suicide risk, depression, alcohol and drug abuse, anxiety and distrust. It also limits the employment and educational opportunities of victims through fear and can make a victim overly protective towards his or her own children. Research has also shown that victims are significantly greater users of medical and psychiatric services than are non-victims. Women who have been sexually abused as children are also at far greater risk of adult revictimisation than non-victims.

Research also indicates that serial paedophiles can have hundreds of victims and that the majority of these cases do not come to the attention of the criminal justice system. The consequence is that thousands of lives can literally be wrecked by the actions of a single offender. A small minority—and they are who this bill directs its attention towards—of sexual offenders are intractable, that is, they are considered to be untreatable, they do not want treatment, and see nothing wrong with their perversions. Others are simply unable to exercise control over their deviant sexual urges.

What to do with this small group of offenders has exercised the minds of legislators across the world. So it has not just been a Queensland issue of what to do; it is an international issue of what to do. That is why the Attorney-General is deserving of praise in the face of that criticism from civil liberties groups. The point is that all over the world, legislators have reached similar conclusions to the one that the Attorney-General proposes in this bill. Such offenders will never be cured and will always be a danger to the community and, as such, they must be kept incarcerated in order to protect vulnerable members of our society, particularly women and children.

With respect to child sex offending, the greatest danger is when we tell our children to beware of strangers. We know and research indicates that it is not stranger danger; often the offender is someone whom the child knows.

Mrs Reilly: And trusts.

Mr MICKEL: And trusts. Research suggests that the prevalence of child sexual abuse could be as high as 40 per cent of children. The point is that increasingly—and we know of instances within families where the closest relative has been an offender; there are instances in my electorate and certainly in outer metropolitan areas of this—where there has been a breakdown of the family and a stranger is admitted into that family in the form of a partner, in that partnership lies a great risk to children.

Police in my district tell me that paedophiles can pick out women who are at risk, who are lonely and who are seeking a partner, and that partner can be a paedophile who makes his way into that family structure. In every sense of the word, these people know how to target innocent people and therefore how to ruin innocent lives.

The need to protect our vulnerable children from the predations of sexual deviants justifies the making of this bill. Parliament, and this parliament in particular through the Attorney-General, is sending a clear message that there is zero tolerance for such activities, and the people who perpetrate them will face severe consequences. By breaking the cycle of offending not only can

future potential victimisation be minimised, but also the development of new sexual offenders who are being brutalised by their own victimisation can be prevented.

This bill will keep communities safer by strengthening powers to retain dangerous sexual offenders in prison and requiring supervision of released sexual offenders under appropriate community supervision. These measures will go a long way in motivating sex offenders to undertake and complete treatment programs, and restrict opportunities for child sex offenders to undertake grooming processes.

I would particularly like to thank the work being undertaken by the Corrective Services Department, and in particular I would like to acknowledge the tremendous contribution to my own research, to my own thinking, of an officer in that department, Gabrielle Sinclair, and I would like to acknowledge—

Honourable members: Hear, hear!

Mr MICKEL: I acknowledge the interjection from other members, who have made their position clear in this debate, when I mention her name and the very positive way they have responded to her. I want to congratulate the Minister for Police and Corrective Services for allowing us to be briefed by such an outstanding officer.

I also come to this debate with a great deal of sadness, and it is this. I had the harrowing experience some years ago of having a mother present to my office. Her son had been the victim of a sodomy attack in the nearby park. What outrageous activity was this youngster up to? He was riding his bike in the park and had been lured into the toilet in the park by a person. The mother was presenting to me the need for the government to take action. What were the circumstances of this offender? He had been released from the prison system the day before the attack. He did not look like Ferguson. This fellow, I am told, was a family person who had three kids of his own. Honourable members might be interested to learn that they caught this fellow the next day at the same park and with the same car. That is why this legislation is needed.

Now I can go back to that constituent, now I can go back to that school community and say, 'Look, your coming to me and me taking this up with the government and it being supported by the backbench in the government is going to make a difference.' Unfortunately it is not going to make a difference to that child. I recognise that. That child is scarred forever, and I am desperately sad about that. However, I am enlightened by the fact that we have in the Attorney-General someone who is prepared to take that on board and stare down the civil liberties people on this account because I believe my constituent and my constituent's son have a right to some civil liberties. I believe they have a right to go cycling in the park without having some offender abuse that child in that way. So I will stand by my constituency every time, and if this bill locks up somebody like that, then good on you, Mr Attorney-General for doing that. That is why I support this bill.

I am grateful that my colleagues and their constituencies have also joined with me in staring down what would have been opposition to this bill, and I congratulate them for that as well.

Mrs CARRYN SULLIVAN (Pumicestone—ALP) (4.54 p.m.): This bill introduced into the House this week will go some way to alleviating the growing concern in our communities about the release from prison of convicted violent sex offenders and paedophiles. The bill's objective is quite explicit. It provides for the ongoing detention or supervised release of certain prisoners to ensure adequate protection of the community and to provide continued control, care or treatment of those prisoners to facilitate their rehabilitation.

Who could forget the recent *60 Minutes* interview with self-confessed paedophile Jim Bell who agreed with Liz Hayes when she referred to him as 'the Devil', every child's nightmare, and the recent release of Dennis Ferguson into the community, which was the catalyst which caused a team from *Brisbane Extra* to visit Bribie Island earlier this year to interview parents who were subjected to receiving an anonymous letter that suggested that a known paedophile who had recently been released from prison was residing there.

Ms Keech: Was he?

Mrs CARRYN SULLIVAN: The member for Albert actually brings up a good point. In fact the letter was unfounded, it was baseless and it was certainly irresponsible. The police actually discovered that Mr Ferguson lived permanently in Albion. In fact Mr Dennis Ferguson rang me and suggested that he may be able to help me solve the mystery of who was putting out this anonymous letter.

Ms Keech: Helpful.

Mrs CARRYN SULLIVAN: He was helpful, but I did tell him that I had passed all the information on to the police.

These two events, and many others, have highlighted genuine community concern about the possibility of offenders who may have completed their fixed term sentence imposed by the court reoffending. Certainly Jim Bell knows how easy it would be to reoffend. As he said—

I don't want to go back to prison, therefore I am willing to take every form of action and help to make sure that this matter doesn't get any worse.

They are not very comforting words because he was not prepared to admit that preying on young girls was actually wrong.

There has been little evidence to suggest that convicted sex offenders and paedophiles, after refusing to participate in sexual offender treatment in prison, upon release will be rehabilitated. In fact the evidence is quite the contrary. They have an inclination to reoffend. Currently serious sex offenders who have served their full sentence are released into the community without supervision. This is addressed in the bill by enabling the Supreme Court to order the post-sentence prevention detention or supervision of those sex offenders who are deemed to pose a serious danger to the community. This bill is about changing a somewhat archaic system to a more contemporary and effective scheme for the better protection of the community.

We are constantly reminded that everyone has rights, even those who have been incarcerated for any reason. Therefore the continued detention of someone in custody, that is those who may be detained beyond the term previously imposed by a court, that is depriving them of their liberties, would not be considered lightly. There are checks and balances.

Prisoners will be given every opportunity to rehabilitate. The Attorney-General will be able to apply to the Supreme Court within six months of the prisoner's sentence expiry date for orders requiring the offender to submit to a risk assessment performed by two qualified psychiatrists who must prepare a report for the court on the risk posed by the prisoner to the community. The court will assess the report and, depending on the risk of reoffending, will either impose a continuing detention order or a supervision order containing a number of strict supervision conditions upon release.

The courts would take into consideration any relevant evidence, including medical and criminal history, to determine its final decision, and if it is a continuing detention order it must be reviewed at least every 12 months. Bearing in mind the rights and liberties of the offender, he or she will be given notice of the application to enable him or her to obtain separate reports and present any evidence in rebuttal of the claim that they are a serious danger to the community.

The bill also contains provision for appeals to the Court of Appeal against the decision of the Supreme Court on the principal application. This bill is an attempt to address legitimate public concern about the dangers to which the community is exposed by seriously violent sex offenders who are unwilling or unable to be rehabilitated.

Since the Internet has become popular and more accessible, there has been a huge increase in paedophilia activity and other sex related crimes. It poses little threat to the sex monsters because it not only allows their anonymity but also makes it easier to lie and deceive and work their way into people's homes. Even the most ardent defenders of the good will tell you that it is so difficult to stop. A well-timed published article dated today by Amber Hartley highlighted just how hard it is for parents to protect their children from paedophiles. She quoted from a Queensland government Department of Families statement—

It would be easy if paedophiles walked around with a certain look that could help children avoid such people, but there isn't any way to describe what they look like.

Liz Hayes has described paedophile Jim Bell as a successful, respectable, ordinary businessman with a loving wife and healthy, well-educated children.

I return to Amber's story. She concurs that child molesters could be the respectable member of the community or the nice person in the street. They may be in a position of power or authority, which can make it almost impossible for children to disobey. Amber also describes the risk of the Internet to children with these words—

Children don't realise that any piece of information they give over the Internet can assist a paedophile in tracking them down—a sports team, what car mum drives, where parents work, what school they attend, et cetera.

As difficult as this whole issue is, the government has not shied away from its responsibility to ensure that, in society's management of proven sexual offenders, the community is protected

from recidivist serious sexual violence and paedophilia. If people have any suspicions, they can ring the Parent Line from 8 a.m. to 10 p.m. seven days a week on 1300 310 300 and/or Kids Help Line, which is a 24-hour service, on 1800 551 800. I congratulate Minister Welford and his staff for introducing the bill and I commend it to the House.

Mrs CROFT (Broadwater—ALP) (5.02 p.m.): I rise to speak in support of the Dangerous Prisoners (Sexual Offenders) Bill 2003. Throughout Queensland, and certainly in my own electorate of Broadwater, there has been a growing concern in the community about the release of convicted sexual offenders back into the general public. This concern relates not only to the detestable nature of the crimes but also to the fact that some offenders are being released without any evidence of rehabilitation and after refusing to take part in sexual offender treatment programs.

This bill will address the concerns of the community about the danger posed by serious sexual offenders who are released without rehabilitation or ongoing supervision. It will allow the Supreme Court to order post-sentence preventive detention for those sexual offenders who pose a serious danger if they are released at their sentence expiry date. It also enables the court to make strict supervision orders for those offenders who the court determines can be safely released as long as the release is accompanied by appropriate supervision. Importantly, these new orders can be made for both current and future sexual offenders serving a fixed term of imprisonment.

Queensland currently has legislative provisions for preventive detention through the indefinite sentence provisions of the Penalties and Sentences Act 1992 and the Criminal Law Amendment Act 1945. However, under the Penalties and Sentences Act the indefinite sentence may only be imposed at the time of sentence. The Criminal Law Amendment Act does provide for the indeterminate detention of sexual offenders at both the time of sentencing and during sentence, but the tests in the act are archaic and in need of updating.

This bill introduces a modern and effective community protection scheme. It allows the Attorney-General to apply to the Supreme Court in cases where he believes a convicted sexual offender poses a risk of reoffending. The court can then order a risk assessment to be conducted by two psychiatrists, who will report to the court on the level of risk posed by the community. The court will assess the prisoner's risk of reoffending and can impose either a continuing detention order or a supervision order containing strict supervision conditions upon release. In making any determination the court can take into consideration the person's criminal history, any evidence indicating they pose an ongoing risk and other medical evidence.

The paramount consideration of this legislation is the need to protect the community, and before making either of those orders the court would need to be satisfied to a high degree of probability that the prisoner would pose a serious danger to the community if these orders were not made. However, it is important to note that there are safeguards in this legislation. First of all, the Attorney-General may only bring an application within six months of the prisoner's sentence expiry date. This is to ensure that the prisoner is able to take full advantage of any opportunities for rehabilitation offered during the term of imprisonment. If a continuing detention order is made, it will be reviewed by the Supreme Court at least every 12 months. There is also the option of amending a supervision order if there is a change in the released prisoner's circumstances.

This legislation is about protecting children and others who could potentially be victims of dangerous sexual offenders who have not been rehabilitated and are likely to reoffend. It is a sad fact that there are some people in our prisons who either cannot or will not control their perverted sexual urges. We have a responsibility to protect our children from these people. This legislation will deliver that protection while also maintaining appropriate safeguards. I congratulate the minister on this legislation and I commend the bill to the House.

Ms MOLLOY (Noosa—ALP) (5.06 p.m.): It is understandable that there has been great concern in our community about the release from prison of convicted violent sexual offenders and paedophiles who are not rehabilitated. Even when they complete their sentence there exists the possibility of their reoffending, and that cannot be ignored or brushed under the carpet for fear of jeopardising the civil liberties of those adults. If Solomon were invited to rule on this choice between the offending adult or the child or victim, he would choose to protect the civil liberties of the child or victim, as we do. This legislation puts in place mechanisms for assessing offenders, and in those instances where it is deemed necessary the court is empowered to order the prisoners to continuing detention or ongoing supervision.

At the beautiful Sunshine Beach Primary School we have a garden and plaque to commemorate the life of a little girl, whom I will not name, whose short life was stolen from her. One would never contemplate yet another tragic loss. However, to my great sadness, my community has endured yet another devastating loss. It is legislation like this that provides comfort to families, very close friends, old school friends, neighbours and community members—some small comfort to pain deeper than the ocean. I hope this helps with the healing. Congratulations to Minister Welford and his department. I thank him for this legislation. I commend the bill to the House.

Ms STONE (Springwood—ALP) (5.07 p.m.): I rise to participate in this very important debate on the Dangerous Prisoners (Sexual Offenders) Bill 2003. Without doubt there is a growing concern by members of the public regarding the release from prison of convicted sexual offenders. Their concern is understandable and legitimate. Their concerns have centred on community safety, and constituents have informed me they are worried that following release from custody for a serious sexual crime the offender will go on to commit a further crime similar in nature to the one they have been convicted of.

I support the government, in particular the Attorney-General, for bringing this bill before the House. This bill will deal with offenders who present a high risk of reoffending. It is important that we as a government reduce the risk of future harm to society and ensure appropriate protection for society. However, protection for our society and especially children is not just a government responsibility. I have spoken before in this House on the need for parental supervision with children and the Internet. Parents will usually not allow their children to visit a friend's house without some knowledge of that household, yet we are hearing more and more about paedophiles using the Internet, in particular chat rooms, to groom children.

Today, once again, I would like to reiterate my concern to members that more protection for children using the Internet is needed. I know that the UK has been addressing this issue for many years. In fact, since 1997 the UK has amended acts of parliament and completed committee reports on sentencing and risk management of sexual offenders. But, more importantly, it has been particularly forward thinking on its public education.

In Scotland I witnessed a very powerful advertisement at a suburban cinema. This advertisement had a gentleman standing and talking. His words were about football and school, and the conversation was typical of a child's conversation. This is a true picture of what it is like in a chat room. The words look like a normal chat between kids, but the reality is that it is an adult typing those words. They are a predator looking for their victim, and who more vulnerable than a child?

I acknowledge the good work being done all over the world by police officers to try to catch these vile criminals. It is sad that some offenders will not be rehabilitated, and a recent *60 Minutes* program interviewed a paedophile who openly admitted that he would probably never be rehabilitated. Earlier we heard the words of the Police Minister and what offenders had told him about the high chances they would reoffend. Earlier I noticed Hetty Johnson, the executive of Bravehearts, in the gallery. Hetty is a constituent of mine and has told me about the work of Bravehearts. She has also told me a lot about the trauma and distress of victims of sexual crimes and their families and what they suffer. It should be stressed that those victims and their families carry this stress throughout the whole of their lifetime. I would have to say that the members for Logan and Mundingburra certainly reminded us of those stresses and the lifetime for which they carry them.

Members of the community want the risk of future serious harm to be minimised and they want high public safety and protection. This is the key for post-sentence preventative detention or supervision orders to be used, and this is what this bill is ensuring. The number of serious sexual offenders who present a continuing risk to public safety is small. However, where there is a danger it is important that we act to protect our community, in particular, that we protect the most vulnerable in our community.

I will not repeat what other speakers have already said regarding the checks and balances of this bill, nor will I repeat the sentiments of disgust at this abhorrent crime. Speakers on both sides of this House have done that very well. Instead, I congratulate the Attorney for bringing this bill to the House. I also want to congratulate and put on record my thanks to the Corrective Services Department for its briefings and for the work it is doing. I would also like to thank our international partners in this, because I have seen the work that is being carried out in the UK, the US, Canada and other countries. This is a worldwide issue, as the member for Logan said. I hope that as a government we can look at some more public education campaigns on it.

Hon. R. J. WELFORD (Everton—ALP) (Attorney-General and Minister for Justice) (5.12 p.m.), in reply: I thank all members for their contribution in this debate on a very important matter. It is clear that this matter excites significant public concern and passion in relation to offences which, by their very nature, cut to the very core of the sense of decency that civilised human beings have in relation to the rights of individuals, particularly children, to live a life without violence or interference. The government did think very carefully before embarking upon this course. It is true, however, to say that there were existing provisions of a similar nature already in our laws. Those provisions, for various reasons, are not entirely effective to deal with the category of matters to which this bill is directed. In retrospect, my view is that this bill in fact is founded on a stronger policy foundation than, in some respects, the provision that already exists.

The shortcomings of the 1945 legislation to which a number of members have referred are clear. For example, even a person who is found by a psychiatrist under the 1945 provisions of the Criminal Law Amendment Act to be incapable of controlling their sexual instincts cannot be detained in the worst circumstance, that is, a circumstance where the court does not believe that that person can be rehabilitated; they can be detained under that law only if the court believes that their detention can serve to rehabilitate them further. This bill is designed to provide protection to the community where a person is effectively incapable of avoiding re-offending, particularly where that involves sex offences of a serious nature. The question of whether they are able to be rehabilitated or not is put in abeyance while the person is detained. I will come back again in a moment to some of the philosophies underlying this legislation that I indicated and outlined in my second reading speech, but let me first respond to some of the issues raised by members in their contribution to this debate.

I thank, first of all, the opposition and the Independents for their support for the legislation. It is true, as a number of members indicated, that as members of parliament we often are consulted by constituents with tragic stories of incidents which, should there be legislation like this available, may be avoidable. That is not to say that this legislation will be a panacea for crime or for crimes of violence of a sexual nature. The fundamental principle in sentencing offenders, regardless of the character of their offence, is that offenders are sentenced to a fixed term of imprisonment.

This legislation is not about sentencing people. It is not about, as the Leader of the Opposition suggested, redressing the injustice that victims feel or their families feel. This legislation is about protecting the community. It is not about vengeance and it is not about punishment. Punishment, rehabilitation and deterrence are the three primary elements involved in the sentencing process that a court engages in when a person is found convicted of an offence. It is, of course, appropriate at that time for the court to assess the sentence it imposes on those terms.

This legislation is not about sentencing. This legislation comes from a completely different frame of reference. Its frame of reference is the protection of the community and it starts in seeking to achieve that aim by ensuring the community is protected from people who, already being in prison, may continue to be a serious danger to the community.

The Leader of the Opposition made much of his past disputes with the previous Attorney. It should be placed on record that the Leader of the Opposition failed while his party was in government to persuade the then Attorney to do anything in the nature of the reforms that the Opposition Leader said he advocated at that time. Furthermore, the private member's bill that he introduced in 2000 did not address the issues that this bill addresses. It raised issues of serious violent offenders being imprisoned for 100 per cent of the term of their imprisonment. If in fact the Opposition Leader was serious about ensuring offenders underwent rehabilitation programs, he would realise that that was in direct contradiction of his proposal for 100 per cent sentencing because if a prisoner goes to prison and knows that there are no rewards for participating in rehabilitation or behaving themselves in prison, then no-one would undertake a rehabilitation course. The internal contradictions in the approach of the Leader of the Opposition do bear out the criticism that the previous Attorney made of him that he often speaks, albeit with good intentions, out of ignorance of the law. He needs to be very careful in his robust commentary on what should and should not be the law when it comes to dealing with the offenders and he should understand the implications of his proposals. I suspect he often does not.

The member for Nicklin also supported the bill but raised a number of issues which he would like me to address. He firstly raised the issue of the referral of this matter to the Scrutiny of Legislation Committee. The reason for bringing this bill on for debate today was simply that, as the member indicated, in the months ahead there are likely to be potential cases to which this bill

could apply. Parliament is not sitting again until August. Between now and August we are engaging in the budget debate. So for this law to take effect before August or September it is necessary for the parliament to debate it today. There was of course no intention to avoid appropriate scrutiny by the parliamentary committee in bringing this matter on for debate today, but this is the only opportunity for parliament to pass this legislation without leaving it for debate until much later in the year.

This legislation, I should emphasise, is not directed at any prisoner or particular offender. It is to be available to apply on the merits, on the evidence, that might be available should an offender fit the category and be eligible for release between when the bill comes into effect and later in the year. There has of course been discussion in the media in recent times about a particular offender. I think it is unfortunate that that often irrational public discussion has occurred, because there is yet to be a proper assessment of whether that person or indeed any other current prisoner in Queensland would, by their behaviour in prison or other circumstances, satisfy the evidentiary requirements of an application by the Attorney—by me—in respect of them under this bill.

This bill is the outcome of some months of consideration by me and by the Minister for Police in relation to these matters. As members are aware, the Police Minister has put into place an early warning system to ensure he has six months notice of serious offenders who are to be released from prison. That early notice system is simply so that he can ensure prison authorities make appropriate provision for any transitional arrangements that are required. It is not only to alert us to potential candidates for applications under this bill. I think it is very important to remember that, regardless of their offence, prisoners who have been in prison for a long time often find the adjustment to open society a very difficult one to make. It is very important that appropriate measures are taken by the corrections system to facilitate as best as possible that transition by long-term prisoners so as to minimise the stress, anxiety and the consequential risk of those prisoners behaving in a deviant manner upon their release.

The member for Nicklin raised the issue of whether there was any authority in the legislation for the Attorney-General's power to make an application to be delegated. There is no power to delegate. It is in my view an application to the Supreme Court of such a serious nature that it justifies being brought by the Attorney-General. I will of course be giving further consideration to the interaction between this legislation and the Penalties and Sentences Act and the Criminal Law Amendment Act 1945. All cover certain elements and operate according to slightly different principles. I will, following the implementation of this bill, give further consideration to clarifying the respective operation of the various laws in this regard.

But I want to emphasise again the very clear distinction between the sentencing context within the criminal justice system to which the Penalties and Sentences Act applies and the entirely separate context or frame of reference under which this law is designed to operate. Part of the reason that lawyers like myself and like the civil liberties lawyers raise concerns about legislation of this kind, quite apart from the fact that it deprives people of their liberty, is that within the context of the criminal law it is fundamental that a person should only be deprived of their liberty for breaching a particular law. What this bill of course does is potentially detain people who have not breached a particular law at the time the decision is made to further detain them.

Looking at it from the frame of reference of a lawyer practising in the criminal justice system, it runs against the grain. But it needs to be understood that this law is made not within that frame of reference. It is not part of the criminal justice process. It is not part of the sentencing process. It is part of a separate process akin to mental health laws where, for rational and soundly based reasons, a person needs to be detained and deprived of their individual liberty in the interests of the public at large. So this is about a very delicate balance between individual liberty and the public interest. That balance in favour of the public interest should only be struck on strong evidence assessed before an independent court, and that is the scheme that this legislation provides.

The member for Nicklin asked who chooses the psychiatrist and the criteria for the assessment being undertaken by the psychiatrist. Similar issues were raised by the member for Gladstone. The psychiatrists who will undertake the assessment will ordinarily be identified in the court order, so that when the application is first made for a risk assessment order the order will direct that the assessments be undertaken and be undertaken by specified psychiatrists. Those psychiatrists will be nominated by the Attorney-General to the court and it will be up to the court to determine whether those people are appropriate. At that time, of course, the prisoner will have a right to be represented and appear and also make submissions in relation to the appropriateness

of the assessment order and the psychiatrists concerned. I imagine that they will be psychiatrists who have regular experience in forensic psychology within the prison system or generally and are recognised in the profession as having the specialist skills required for that purpose. This is not an uncommon circumstance. Psychiatric reports are sought by courts in a whole range of matters including, for example, for sentencing purposes. The court will be the appropriate independent determinant of who the psychiatrists will be.

In respect of appeals, whether a person is entitled to Legal Aid will, of course, depend on their circumstances. These are matters we will ensure are able to be legally aided, if the person qualifies according to the normal means tested conditions. If a person is a prisoner who outside a prison has significant means, that is a different matter. Those assessments will be made by Legal Aid Queensland. I should reinforce that there are likely to be very few of these applications, so any demand on Legal Aid there might be will be very limited indeed.

As I have indicated publicly, it is not clear how many prisoners there are currently within the prison system to which this legislation might apply, but my discussions with the Corrective Services Commission indicate that we are probably talking about approximately a dozen or so very, very serious offenders, most of whom have been in prison for a long time.

A number of other members made very valuable contributions. The member for Gladstone raised issues about when an application should be made to the court and whether the Attorney-General must apply in certain circumstances. I am satisfied that the terms of the legislation provide adequate authority for an Attorney-General to make applications as the need arises. Ultimately, it is a matter for the Supreme Court to determine whether the evidence justifies a risk assessment order being made and, if that is made, then subsequently determining whether any final orders are made. But I should emphasise again that there are a very small number of prisoners that I would imagine this legislation will apply to. That is why the legislation is carefully drafted to ensure that a court must be satisfied to a high level of probability that the person is in fact a serious danger to the public.

As I have said, this law has been carefully drafted to confine its operation. It is in a sense treading in new territory in relation to law making in this country. For that reason we should proceed cautiously. I thank the Leader of the Opposition for acknowledging it is appropriate to confine this legislation to serious offences of a sexual nature, that is, involving violence or offences against children. I think it is important that we do this in a system of law where we historically must recognise the rights of individuals, particularly where the history of Anglo-Saxon legal systems have seen, in some cases, a tyranny by the majority or oppression by the state and governments. It is natural in those circumstances of our legal history that the character of our law is crafted so as to emphasise the importance of protecting the rights of citizens against more powerful authorities.

However, this law recognises that in a discrete and small number of cases there are some individuals who represent such a serious danger to the community that it is in the broader public interest that the community be protected from those individuals. The concept of detention is well known to our criminal law. It is used for punishment and it is used for deterrence. As best as possible, it is used to rehabilitate those who deviate from accepted social norms. But the concept of detention is not just something known to the criminal law; it is something that has been considered appropriate elsewhere in our law where the public must be protected. It is from that perspective that we bring this legislation to the House and acknowledge that it will receive the support not only of all honourable members but also of the broader public.

As I said earlier, I will monitor the implementation of this law and also look further at the interaction between this law and other laws of a similar nature. As I indicated in the second reading speech, the principle upon which this law is based is similar in terms to the Penalties and Sentences Act, that is, the principle that it is appropriate to detain beyond a fixed term a person who is a serious danger to the community. Ensuring that consistent principles apply to detention for different purposes, I think, is desirable jurisprudence. But we do need to monitor the impact of this and we do need to ensure that if further reforms are required to ensure consistency across all our laws we maintain an open mind about their operation and their reform. I thank all members for their contribution and commend them for their support of this bill.

Motion agreed to.

Committee

Hon. R. J. WELFORD (Everton—ALP) (Attorney-General and Minister for Justice) in charge of the bill.

Clauses 1 and 2, as read, agreed to.

Clause 3—

Mr WELFORD (5.38 p.m.): I move the following amendment—

1 Clause 3—

At page 6, lines 7 and 9, 'particular prisoners'—

omit, insert—

'a particular class of prisoner'.

All of the amendments that I propose to move are amendments to rectify minor drafting errors.

Amendment agreed to.

Clause 3, as amended, agreed to.

Clauses 4 to 12, as read, agreed to.

Clause 13—

Mrs LIZ CUNNINGHAM (5.39 p.m.): The explanatory notes state that similar provisions to the principles espoused in this legislation are contained in other acts. Under the Penalties and Sentences Act courts can impose an indefinite sentence on an offender. However, this legislation deals with an offender six months from the finalisation of their sentence, and having that extended again by the courts. I understand the process. However, I wanted to confirm with the minister that that cannot be challenged in terms of its constitutional validity.

Mr WELFORD: Any legislation can be challenged. The question is the prospects of success. This legislation has been carefully drafted in recognition of the fact that there was legislation attempted in New South Wales and overturned in the High Court in the case of Cable. Cable, I understand, was a prisoner in the New South Wales prison system. The New South Wales parliament sought to legislate specifically to detain him in prison beyond the end of his term. The legislation was, on its own terms, confined specifically to apply to an individual—namely, Cable—and also left the court no judicial discretion such that it effectively ordered the court to make a determination that Cable be detained in prison. The combined effect of the characteristics of that legislation was that the High Court considered that the legislation did not appropriately apply to a court because a court, to exercise judicial functions, must have the capacity to exercise discretion. If the court is left with no discretion, it cannot be said to be acting judicially, and under the Commonwealth Constitution a court exercising federal jurisdiction operates only under the judicial power of the Constitution.

This legislation has been carefully drafted to ensure that the law obviously does not apply to any individual. It is drafted broadly and it also allows maximum discretion for the court at a number of stages in the process to properly assess evidence on an objective basis before making a determination. Even then it leaves open to the court a number of options in terms of the determination that it makes. It may, of course, deny the application, but it also has options of providing for continuing detention or for supervision orders with a combination of measures or conditions relevant to supervision. So significant discretion is left to the court so as to ensure that this legislation does not run the constitutional risks that were evident in the New South Wales legislation. I move the following amendment—

2 Clause 13—

At page 12, line 1, after 'released'—

insert—

'from custody'.

Amendment agreed to.

Clause 13, as amended, agreed to.

Clauses 14 to 26, as read, agreed to.

Clause 27—

Mrs LIZ CUNNINGHAM (5.47 p.m.): I want to raise again an issue that I raised in the second reading debate. This particular clause requires that, with any prisoner given or subject to a continuing detention order, the order must be reviewed at the end of the first year and every

subsequent year after that review to ensure the prisoner continues to be subject to the order. I raised the fact that that is a very short period and I raised the possibility that prisoners could be manipulative, mischievous, vexatious or whatever to thwart the intent of this legislation by bogging down the process. Could the Attorney-General comment on whether he will review that period if it is shown, after the legislation has been in place for a short period, that it is an impracticable time frame? Will the Attorney-General be prepared to review that aspect of the legislation?

Mr WELFORD: I thank the honourable member for her concern. I am confident that the process for applications to be dealt with by the Supreme Court will not result in protracted hearings or for applications in relation to these matters to be drawn out to any significant degree. The application would be initiated, I imagine, by an originating application in the Supreme Court, returnable within a very short time before the court. I imagine that the court would, on the first return date, set directions for what action is required to hear the application for final orders as well as make orders for the independent psychiatric reports to be obtained. I do not imagine that the courts will allow their process to be abused in any way that would have these matters before the court for any length of time.

I also think it is important that, because we are exploring in this law uncharted waters in relation to the detention of people of a particular class, we should maximise the capacity for the courts, as an independent source of supervision of this law, to be involved. Although, as I said, this is not part of the criminal law, as I see it it is nevertheless a law under which the tyranny of the state or, indeed, corrective services authorities could seek to continue to detain people for inappropriate or wrong reasons.

Conversely, as the member pointed out, there are some within the prison system who seek to work the system and seek to gain their freedom by subterfuge. I think the very close supervision that this legislation provides by way of psychiatric reports and a range of other evidence makes it very unlikely that a person could dupe the system in these circumstances. So I think it is appropriate at this stage for these matters to be periodically reviewed on an annual basis.

Once we have the benefit of some experience of the operation of this legislation, consideration can be given to whether an alternative approach to periodic review can be considered. As the member pointed out, under the Penalties and Sentences Act a review is undertaken within six months of the termination of the nominal sentence imposed on an indefinite sentence and then every two years after that. In this case the proposal is that reviews be undertaken each year, given that the person is being detained, at least on the face of it, for no particular offence. If experience suggests in the future that a more appropriate process might be to have annual reviews for the first two or three years but then reviews for a longer period, we can revisit the legislation and give the court greater discretion at that time.

Clause 27, as read, agreed to.

Clauses 28 and 29, as read, agreed to.

Clause 30—

Mr WELFORD (5.48 p.m.): I move the following amendments—

3 Clause 30—

At page 18, line 15, 'On affirming'—

omit, insert—

'If the court affirms'.

4 Clause 30—

At page 18, line 17, after 'released'—

insert—

'from custody'.

Amendments agreed to.

Clause 30, as amended, agreed to.

Clauses 31 to 44, as read, agreed to.

Clause 45—

Mr WELFORD (5.49 p.m.): I move the following amendment—

5 Clause 45—

At page 24, lines 15 to 17—

omit.

Amendment agreed to.

Clause 45, as amended, agreed to.

Clauses 46 to 55, as read, agreed to.

Schedule—

Mr WELFORD (5.50 p.m.): I table the explanatory notes to the amendments which have just been passed. I also move the following amendment—

6 Schedule—

At page 27, after line 4—

insert—

'"certified transcription" means a certified transcription under the Recording of Evidence Act 1962, section 10(2).'.

Amendment agreed to.

Schedule, as amended, agreed to.

Bill reported, with amendments.

Third Reading

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

Title

Hon. R. J. WELFORD (Everton—ALP) (Attorney-General and Minister for Justice) (5.52 p.m.): I move the following amendment—

7 Title—

'particular prisoners'—

omit, insert—

'a particular class of prisoner'.

Amendment agreed to.

Title, as amended, agreed to.

FUEL PRICES; PARLIAMENTARY SELECT COMMITTEE

Mr SPRINGBORG (Southern Downs—NPA) (Leader of the Opposition) (5.54 p.m.): I move—

That this parliament supports the establishment of an all Party Parliamentary Select Committee to inquire into the disparity of fuel pricing across Queensland and to make any recommendations necessary to ensure transparency and fairness in Queensland fuel pricing.

The committee comprise 3 members of the Government, 2 members from the Opposition and 1 member drawn from either the Independents or One Nation Party, with the Government holding the Chairmanship of the Committee and the Chairman possessing a deliberative and casting vote.

As I indicated this morning when I moved this motion, this is about doing something positive to address the issue of fuel pricing disparities right across Queensland. This is a problem which has been evident not just this week and the previous week but also in previous months and previous years in Queensland and, to some extent, across the rest of Australia.

The honourable member for Gregory raised this matter this morning at our party meeting. He said that across Brisbane this morning some motorists were paying as low as 66c per litre, the average around town being about 70c per litre, yet many of his constituents were paying in the order of $1 per litre. The honourable member for Callide told me this morning that in Monto they were paying 93c per litre. The honourable member for Gregory probably knows better than anyone else in this place the great impact that fuel prices are having on the livelihoods—on the bottom line—of many people throughout this state.

Some people grizzle about paying 66c per litre or 70c per litre; they should try paying 95c or $1 per litre and having to travel a 1,000-kilometre round trip to go and do their shopping or go to the doctor.

Mr Johnson: It is $1.11 in Birdsville.

Mr SPRINGBORG: It is $1.11 in Birdsville, the honourable member for Gregory says. One can understand the way these prices impact on people. This morning I raised with the honourable member for Gregory the matter of the cost of transport of fuel, because this is often the excuse that is used by fuel companies and others. They say that it is the cost of transport. As the honourable member for Gregory said to me this morning, it works out to about 6c per litre to the further extremities of this state.

Mr Johnson: From Brisbane to Quilpie it is about 6c.

Mr SPRINGBORG: Brisbane to Quilpie it is 6c. Okay, maybe put another few cents on that to go a little bit further.

Mr Johnson: It is 11c from Quilpie to Birdsville.

Mr SPRINGBORG: Okay. Let us say that transport costs could be 17c to get fuel from Brisbane to Birdsville. There is still an enormous disparity between the price of fuel in Brisbane and the price of fuel in other parts of Queensland. That is not necessarily to say that the people of Brisbane are getting things absolutely all their own way, but it gives members some idea of the disparity that exists across Queensland. We need to be aware of that disparity. We need to do something practical to address that disparity, because it is not good enough.

Members cannot say that the issue is the transport cost, because it is not. They cannot say that it is the issue of volume sold, because it is not necessarily that, either. There are some sweetheart deals that go on in the petrol industry; there is no doubt about that. But that does not explain a 30c disparity between the likes of Brisbane and Monto. It does not explain that disparity at all. It is about time we started to take this issue very seriously. The Premier himself has made much of fuel pricing in Queensland over a long period of time. He has said that he is outraged, that the fuel companies are terrible and that the Howard government should do this and somebody else should do that.

What we are talking about here today is something that we can do. The Premier will notice that we have couched this motion tonight in words that should be palatable to him. Those words should be very, very palatable to the Premier and to the members of the government, because they do not contain political verbiage that would be repugnant to them. The motion does not mention condemning this and condemning that, or doing this and doing that. It simply says: let us establish an all-party parliamentary select committee comprising three government members, two opposition members and one Independent, with the Premier's nominee having the chairmanship and a deliberative and casting vote.

The outcome of that committee is something which the government does not lose control of but has full and proper capacity to operate in a bipartisan way. I deliberately did that, as I said, by stripping out any political verbiage. What is wrong with an all-party parliamentary committee to look at this issue? Earlier today we debated a motion in this place which gave finality to an all-party committee to look at members' entitlements, and that was conducted in the best spirit of the day.

This is something which we appear to be genuinely concerned about. So why can we not be positive about it? What is wrong with supporting something like this? What is one good reason for opposing the establishment of an all-party select committee to look at the issue of fuel pricing and to address issues of fairness and transparency in giving rise to something which would advance the situation for Queenslanders—some of whom have been disadvantaged by 30c per litre or more compared with their cousins in Brisbane? That is what is so positive about the motion which I have moved here tonight. It is about doing something practical to address that, and it is something which we should all be prepared to support as a consequence.

We know that in this state this is something which we can effect. We do not have any power to force a national royal commission into this matter. We do not have any power whatsoever, and we are kidding ourselves if we think that. What we are doing is abrogating our own responsibility to our own Queensland citizens. So let us do something positive to try to address it. Point 3 of the Beattie plan for fairer petrol prices, 2001 ALP policy, states—

If re-elected the Beattie Government will investigate the potential for using the Western Australian model of requiring service stations to fix petrol prices for 24 hour periods.

That gives some degree of certainty. Maybe that is something which this committee could look at and report on. It would be something fairly positive. That particular statement of the Premier further states—

Motorists cannot understand the wild fluctuations in petrol prices they see in service station billboards, which are often changed several times a day.

If it's the same petrol in the service station reservoir tanks, why isn't it the same price at the pump?

Families and small businesses are struggling under the load of rising transport costs, particularly those that travel long distances to get to work.

Governments don't run the OPEC cartel, but they should at least try to relieve the petrol price burden in any way they responsibly can.

That came from the Premier's own policy statement in February 2001. There is very little in there that I could disagree with. We should be looking at giving real effect to that, not just because he was successful at the election. He won a very, very significant majority at that election and one could argue that he also won a mandate to go ahead with some of these issues. All we are saying is: it is an all-party select committee. If he is not going to implement that, what is he going to do?

I also want to quote the Deputy Premier. On 19 November 2001 Mr Mackenroth said—

... the changes to the State Government fuel subsidy scheme, fully effective from December 1 last year, were necessary and appropriate to prevent fuel rorters ...

So he is talking there about the fuel subsidy scheme. The Premier wrote to the ACCC on 28 May 2003. He said that he had written to the ACCC requesting it to investigate the apparent undercutting of retail petrol prices by large oil companies. So there we go. That is something else which the government has been talking about. We have had a lot of talk. What we need to do is take it beyond the talking stage and deliver something in Queensland, rather than just seek to pass the buck.

The Premier goes on further to challenge the Prime Minister to do certain things. He has also said in the past that if we cannot get a royal commission at a federal level it is something he would be prepared to look at doing here in Queensland. Basically this is about saying, 'We have talked about these things. We have blamed everyone else. We have said it is your fault.' It is the fault of the man from Mars, the ACCC, somebody else, the Howard government—whatever the case may be. Let us look at what we can do in Queensland. The Premier said that he would look at adopting the Western Australian system. What is wrong with adopting a motion like this which is bipartisan and positive?

Time expired.

Mr JOHNSON (Gregory—NPA) (6.04 p.m.): It is with pleasure that I rise to second the motion moved by the Leader of the Opposition this evening that this parliament support the establishment of an all-party parliamentary select committee to inquire into the disparity of fuel prices across Queensland. This is an issue which I have been very passionate about for a long time. It is very gratifying to see the Premier and the Deputy Premier participate in this debate tonight because I know that they, too, understand the urgency and the importance of fuel prices regardless of where we live in this state.

One of the things that prompted me to raise this in our party room this morning was hearing on ABC Radio that the lowest price in Brisbane today was some 66.9c per litre and across Brisbane 72c per litre for unleaded fuel. I thought to myself, 'I know what we are paying in Longreach and I know what we are paying in other parts of the Gregory electorate,' and I was struck with the unfairness and inequity of the situation.

This is a real impost on business, it is an impost on industry and it is an impost on one of the most important domestic industries we have in this country at the moment, and that is tourism. I believe that many people who travel and see the price they are paying for fuel are thinking, 'What is going on here?' We in Queensland do not have a fuel tax, and with our 8.35c per litre return it certainly puts us up in the stakes.

The freight for unleaded petrol from Brisbane to Longreach is about 6c per litre; from Gladstone to Longreach, 4c per litre; from Brisbane to Roma, between 3c and 4c per litre; and from Gladstone to Emerald, about 2c per litre. I spoke with one of my constituents in Birdsville today and was told they are paying $1.11 through the bowser for unleaded fuel. When we look at the freight component from Brisbane to Quilpie of 6c and add another 11c on from Quilpie to Birdsville for fuel, we see that that is very unfair and iniquitous indeed.

The point I am making is that what we have to remember with places like Birdsville, Bedourie and Boulia and many of those remote centres—and I am not drawing Camooweal into the equation because it is 190-odd kilometres west of Mount Isa on a busy highway—is that these people when they buy fuel have to buy it in volumes. I might be looking at the remote areas of the state but, then again, in a place like Longreach today unleaded fuel is 89.9c, in Emerald it is 85.5c and in Camooweal it is $1.049—nearly $1.05 a litre. In some of those remote settlements when the truck comes in, if it has tanks, those people are virtually compelled to purchase fuel, and this is where the real problem lies.

I call on the Premier this evening to see merit in the motion moved by the Leader of the Opposition so we can get some fairness back into the fuel debate in this state. As I said, it is an impost on industry and an impost on many people within this state. There are certainly jobbers out there, whether they are in the state or across the border—and I know my colleague the member for Hinchinbrook will touch on prices across the border shortly. The real issue as I see it is that we have to show some leadership on this. I think the federal government has to be drawn into this equation too.

We talk about road funding right across the Commonwealth. I know the importance of road funding in this state, and I know the issues in relation to local government. We talk about fuel excise, but again it comes back to productivity. I hope that the Premier tonight will be seeing merit in what we are trying to achieve here. Take the south-west corner as an example. Fuel has been produced out in Eromanga. In Birdsville at the moment they can get diesel for $1.03. The freight from Cudappin oilfield, which is only 300 kilometres east of Birdsville, is about 3c per litre back to Birdsville. This is where the inequities lie.

The real issue here this evening is about a fair outcome for the consumers right across the state. I believe there are people still making money out of this, and I believe that if we had a parliamentary select committee looking into this right across the state, reporting back to the government on exactly what the situation is, we could get fairness back into this debate.

Time expired.

Hon. P. D. BEATTIE (Brisbane Central—ALP) (Premier and Minister for Trade) (6.09 p.m.): I thank the member for Gregory for his contribution. I agreed with a large part of it. The only thing I disagree with is how we deal with this issue. I move the following constructive amendment—

That all words after 'Parliament' are deleted and the following words inserted—

'express its support for fair, equitable and transparent fuel pricing across Queensland and calls on the ACCC and Commonwealth Government to ensure that the long-term interests of Queensland motorists are a priority and that fuel pricing is fair and transparent.

To achieve this, this Parliament calls upon the Federal Government to establish a National Inquiry into fuel pricing.'

I will address a number of matters and come back to the amendment. We all agree that something needs to be done. We have a bipartisan commitment to this; it is a matter of how we do it. The core issue in the fuel debate is simple: we want the best possible outcome for Queensland motorists today and in the long term, and that will come through competition and fair practice. For some time we have been calling on the federal government to hold a national inquiry. The issue does not stop at state borders, and that is the problem. When we are dealing with oil companies, we cannot expect that they will deal only in Queensland. They cross borders, so it has to be done nationally to get to them. I agree with the point the member made in relation to that. I have been calling on the Prime Minister and the ACCC—

Mr Johnson: This is happening in Queensland.

Mr BEATTIE: That is right. Let me go through this because I want to deal with what we have in place to cope with it. We have been pursuing the issue. I called on the Prime Minister and the ACCC on 27 February 2001 and 14 April 2002, and on 28 May 2003 I issued a release. I table those for the information of the House. I will come back to that because that relates specifically to a piece of information I want to share with the House.

I have also written to the ACCC, as has the Deputy Premier. I table that correspondence for the information of the House. I wrote in particular to Professor Fels on 23 May. In that letter I expressed concern about some material provided to me at the Aspley community cabinet meeting. Since raising this issue in the House last Wednesday, 28 May, I have also had five independent operators call the office. I table for the information of the House a copy of the news release I put out. I met with an independent operator. Since then, one independent operator from the Wide Bay region called this morning detailing how it has put off seven staff in the last week because of the below-cost selling that is going on. We have a problem here. I wrote to Allan Fels.

In that letter I talked about the fact that the independent retailer also expressed concern that the ACCC was ineffective in dealing with this as an issue. I talked in that letter about the long-term best interests of Queensland and so on.

This morning I received a letter—it is actually dated 2 June but it was received today—from the Australian Competition and Consumer Commission. I think this highlights the problem that the Deputy Premier and I have had. The letter states—

Furthermore, while the Commission does not have a prices oversight role in the industry, it follows developments and will enforce the provisions of the TPA—

the Trade Practices Act—

if there is evidence that it has been breached.

It goes on—

The High Court of Australia ... In the case of ACCC v Boral Masonry Ltd ... This decision highlights the level of difficulty in establishing that alleged conduct—

that is, conduct that leads to price fixing of any kind. I table that letter for the information of the House.

Let us get to the heart of the issue. The ACCC, we believe, should be the proper regulatory body and should have the proper regulatory powers to deal with this issue. Clearly, the ACCC has certain powers under the Trade Practices Act that are supposed to protect consumers, but it is not using them. The ACCC has made some attempts to pursue fuel companies in recent times but has come up with very little to show for its efforts. Either there is no problem with fuel prices, which none of us accepts, or the ACCC needs extra powers. Which of these options is the most likely? The reality is that if the ACCC does not have the powers and the federal government is not prepared to have a national inquiry, then the federal government should give it the powers. That is the only way we can fix this.

The federal government has also stripped the ACCC of its price monitoring role. Professor Fels has indicated that he is powerless to pursue the situation I alerted him to in Aspley, which I raised in the House recently and elsewhere. The federal government gave the ACCC the legislation to allow it to be an effective enforcer of GST price exploitation. Do honourable members remember that power? We need the same thing here. The question must be asked, 'Why can't the ACCC be given a mandate to ensure fair, competitive and transparent fuel pricing?' That is the only question.

Hon. T. M. MACKENROTH (Chatsworth—ALP) (Deputy Premier, Treasurer and Minister for Sport) (6.14 p.m.): I second the amendment moved by the Premier and, in doing so, I acknowledge what the member for Gregory said, which was that the Commonwealth government should play its part. I think the part it should play is to take some action in relation to the ACCC to ensure that it either does its job or has the teeth to do its job.

In early January of this year, when I was the Acting Premier, there was an occasion when petrol prices in Brisbane were at the same level as those in Sydney and Melbourne. At that time I wrote to the four petrol companies and asked them to explain to me why the prices were the same when in fact the government was giving an 8.35c per litre subsidy. I table the letters I received because they all make interesting reading. One of them states—

At the wholesale level, the respective price closely follows international (Singapore) petrol product prices as landed in Brisbane or Sydney, combined with local wholesale competition. For BP, the wholesale price is represented by our terminal gate price. The respective prices excluding GST today for Sydney and Brisbane—

this is 10 January—

are 79.5 cpl and 80.5 cpl. Part of the difference is due to the higher quality requirements—and hence a higher price—for Queensland petrol.

They are saying that petrol is 1c per litre dearer in Brisbane because we have higher quality requirements. Of course, the prices were the same. They then went on to explain why that was. The letter states—

At the retail level, the international factors apply, but overlaying these are the forces of the local market between district service stations. These forces are manifested in the weekly price cycles in each city of average amplitude of 6-7 cents a week. These are due entirely to local market forces (the retail market forces in any other city are irrelevant in this context). Most importantly, the price cycles occur at different times. Prices may well be rising in one city as they are falling in the other.

But when we actually then went in and had a look at the different rises and falls in the prices we found that over time there was not a 1c difference in the price for Brisbane and Sydney; it was more like 2.5c per litre. So there was 1.5c per litre that even the company could not explain.

I then wrote to the ACCC and asked it to investigate. I also table its letter. Part of its reply, in a very lengthy letter which at the end said 'we will doing nothing', states—

By way of background, I would like to explain the role of the ACCC in this area. The ACCC is responsible for administering the Trade Practices Act 1974 ... and the Prices Surveillance Act 1983 ... The main purpose of the TPA is to promote competition and efficiency in markets within Australia and to protect consumers from unlawful anti-competitive conduct and unlawful market practices. The PSA enables the ACCC, where the Government declares products or services, to examine prices with the objectives of promoting competitive pricing wherever possible and restraining price rises in markets where competition is less than effective. Inquiries under the PSA require a direction from the Treasurer—

and that is the federal Treasurer. That is exactly the point: if we want to do something about petrol prices in Queensland or, indeed, in Australia, we need a reference from Peter Costello, who is now able to concentrate on his job as the Treasurer, to the ACCC. Everything that we need for that to happen is in place. All that is needed is one simple reference under the Prices Surveillance Act to the ACCC and then it will have the power to hold the inquiry that the member is talking about. I think that would make far more sense.

The Premier has stated on a number of occasions over the last couple of years that what we need is a price inquiry across Australia, because petrol can be brought from one state to another. It can go across boundaries. That inquiry needs to be a national inquiry. Therefore, I ask members opposite to support our amendment.

Mr HORAN (Toowoomba South—NPA) (6.19 p.m.): This is a very important debate, because in most of our electorates throughout regional Queensland the general community and businesses in particular are all screaming about the unfairness and the rip-offs that are occurring with regard to petrol prices. We have had this controversy in Toowoomba for some time, because generally speaking the price of fuel in Toowoomba is many cents per litre higher than the price down the range on the Warrego Highway and in Brisbane. It costs 2c a litre to transport the fuel from Brisbane to Toowoomba, yet on occasions the prices in Toowoomba are 10c to 15c higher than prices across-the-board in Brisbane. A few weeks ago the price of petrol in Brisbane was as low as 66c and went up to 72c but in Toowoomba the cheapest at the time was about 78.9c. I have often pointed out in this parliament some of the price disparities that occurred on particular days, and the local *Toowoomba Chronicle* has been running a series of articles about this issue.

Everyone can see the unfairness of it. Within the industry itself, the smaller service stations and the businesspeople and families who own those stations are suffering. Under the system that currently operates, there are small stations that have to buy the fuel at prices higher than what big competitors in the same town are actually selling it for. If they could send a tanker to the servo down the road and pick up a load and add 1c or 2c, they might almost be in business. That is the inequity for the customers and the small service station operators.

We have heard much said about this issue. Before the last election the Premier promised a royal commission. What has changed? Why was a royal commission quite suitable before the last election but suddenly, once he got into government with his big majority, the Premier lost all his willpower? He broke another promise, did a total backflip and refused to hold a royal commission.

Much of the debate during the last election and prior to it was about fuel prices. We all remember Mr Kaiser and the petrol watch system he was running. Luckily it was not vote watch but petrol watch. Much of the concentration around election time was about fuel prices. People were told, supposedly in a spirit of genuineness and truthfulness, that there would be a royal commission. That has not occurred. A royal commission would have the power to be able to investigate the very complex and deep issues within the petrol distribution, selling, retailing and wholesale industry. It is the only way to do it. The National Party has promised it. If we were to win the election, we would certainly do it.

The first point to make in this debate is that that promise of a royal commission has been absolutely and clearly broken. In this debate we have adopted a very reasonable and bipartisan approach and suggested an all-party parliamentary select committee with membership from both sides to look into the disparity of fuel pricing across Queensland and make any recommendations necessary to ensure transparency and fairness. What do we get from the government? Once again, it turns its back, walks away, hides behind the curtains and says, 'Let the federal government do it. It's the federal government's problem. We don't want to do it. It's too hard. It's too complicated. It's too difficult. We might have to make some hard decisions.'

Once again the government walks away. Why are we so weak in Queensland that we cannot run our own inquiry? This is supposed to be the government of Queensland. We are the ones that people look to. They cannot do anything but turn up at the bowser and pay the price,

particularly in country and regional areas where it is too far to go to the next service station. They look to this parliament to do something. They look to a government that has a majority of 66 to 12 to do something about it. They look to a government that will stand up to its promises. They do not want a government that goes to elections and says, 'We'll hold a royal commission into petrol prices,' but as soon as it gets into the cosy ministerial seats says, 'No, we can't do it. We won't do it. We'll break that promise. Oh, but what about Mr Howard? How about we go over the border and get Mr Howard to do it or someone else to do it, but not us.'

That is the fundamental thing that is wrong with this government: it is weak. It makes promises but will not stick to its promises. Meanwhile, the people of Queensland are paying. The price of petrol, the price of water and the price of bread are important things for the average person. People in the far west, as the member for Gregory said, are paying $1 a litre. It is about time this government stuck to its promises and helped them out.

Time expired.

Mr CUMMINS (Kawana—ALP) (6.24 p.m.): Fuel prices are a continual issue of controversy not just on the Sunshine Coast but indeed right across Queensland. Our media is well aware of Queenslanders' ongoing interest in the price we must pay at the bowser, as it constantly runs stories of seesawing prices. On some commercial TV and radio networks and also on the ABC we are constantly advised—often daily—of the cheapest prices consumers may pay at various outlets not just around Brisbane but also around the state. It is no secret—in fact, it is a proud achievement of this state government—that Queenslanders normally pay per litre the lowest fuel prices in Australia.

Recently on the Sunshine Coast we have seen new fuel outlets coming under the banner of Woolworths. There are outlets at Chancellor Park and Sippy Downs, and there is a proposal to build one at Currimundi. Coles Myer has also recently announced its entry into the market. The fuel industry is a multibillion-dollar industry. It must be overseen not by a Queensland parliamentary committee but by a federal body, and the ACCC is the ideal body to do it. The ball is clearly in the federal government's court.

The Beattie state government is prepared to work in cooperation with the federal government to deliver proper regulatory powers for the ACCC. This, I believe, would be the most effective way to address the issue before us tonight. The ACCC already has various powers under the Trade Practices Act that should make it able to target those who abuse their abilities in colluding to improperly influence the market in which they operate. The ACCC, we must concede, has made some attempts to investigate, target or pursue various fuel companies, but sadly it has little to be proud of for these efforts. In my opinion, that is because the ACCC, presently chaired by Professor Allan Fels, is underresourced and underfunded. Its powers and its funding need to be increased, and that clearly rests with the federal government. If members disagree with me on this, they obviously feel that there is no problem with current fuel prices.

It is a sad fact that the present federal government has reduced—in fact, it has stripped—the ACCC's price monitoring role. On the other side of the spectrum, we know that the same federal government introduced, supported and passed Commonwealth legislation to compel the ACCC to be the enforcer, the body to oversee possible GST exploitation. A state based Queensland-only parliamentary committee to further scrutinise fair, competitive and transparent fuel pricing is a complete waste of valuable state resources. The solution is simple: it must be a federal push. It must be a national response that will result in the ACCC receiving the necessary powers. The ACCC must be given the necessary mandate to ensure fair, competitive and transparent fuel pricing. The federal government must also fully and properly fund the ACCC to ensure that it utilises the powers it deserves.

Queenslanders are well aware that the Beattie government could rip off half a billion dollars if we raised the price of fuel in line with other states. No other state offers $500 million in fuel price relief to its consumers. The fuel industry is a volatile one—no pun intended. The fuel industry needs a proper balance. Smaller independents must not be forced out of the market by larger players. Independent supplier outlets offer competition and, as we know, competition and fair practices should maintain affordable prices. Families on the Sunshine Coast are heavily reliant on their family cars and therefore they are very obviously heavily impacted on when fuel prices rise. We as a state parliament, every single member—Labor, Liberal, National, One Nation, Independent, Independent One Nation, Independent National, truly Independent, and any I may have missed—must express our support for fair—

Mr Flynn: There's no such thing as Independent One Nation. They are Independents or nothing.

Mr CUMMINS: I take the interjection. I do not know why, but I take the interjection. We must express our support for fair, equitable and transparent fuel pricing right across Queensland. We must call on the ACCC and the Commonwealth government to ensure that the long-term interests of Queensland motorists are a priority and that fuel pricing is fair and transparent. To achieve this—

Time expired.

Mr ROWELL (Hinchinbrook—NPA) (6.29 p.m.): I rise to support the motion of the Leader of the Opposition. I am extremely disappointed that the government has decided to cop out, because there is an opportunity to do something in Queensland. There is a wide variation in fuel prices, particularly for petrol, in the state. We see this also with diesel. Diesel has crept up to a similar price as petrol. The price variations are substantial. People in rural areas and in north Queensland are paying more for their fuel, particularly in outlying areas. Recently, I conducted a check on prices in north Queensland. In Townsville the price was about 71.9c and it can vary. At Ingham it was 80c. In Cardwell and those areas it was around 82c. Effectively, there is a 10c variation in prices between Townsville and Ingham. The distance between Ingham and Townsville is only about 100 kilometres. As the member for Toowoomba South said, his electorate is only a short distance away from Brisbane, yet the prices he is paying are on average 10c more. This is a fairly regular variation.

It is extremely disappointing that people in those areas have to pay that additional amount of money for petrol. The people in those areas have no public transport. They have to depend on their own transport. The distances travelled in taking children to school or to sports events—general family requirements—mean that higher petrol prices are a huge impost. The tourist industry is a major contributor to north Queensland. Many tourists visit north Queensland, and this enhances and diversifies the economy of the region. The higher fuel costs are deterring many tourists. There is a reluctance to visit that part of the world because of the disparity in fuel pricing.

A lot of the agriculture industry is export oriented and the additional imposts are significant. We have to compete against other countries. Our farmers are operating four-wheel bikes, two-wheel bikes and small petrol engines for pumping water, and they are running chainsaws, post-hole borers and small generation plants to run electrical equipment. This adds up to a large additional cost when they have to pay an additional 10c a litre.

The opposition put forward an ethanol proposal for Queensland. This government knocked it back, because it did not want to deal with it. It was a positive proposal, yet the government did not want to have a bar of it. The ministerial petrol price watch task force was headed by Mr Kaiser. We all remember Mr Kaiser and his exploits. Mr Kaiser said that if people find their local prices more expensive than those in a neighbouring town or city they should ring the following number, which I tried—1800 502 230. Guess what? There was no answer at the end of the line! Nobody was home. Nobody was there to take inquiries about disparities in fuel pricing. That is disappointing. Although this issue was popular prior to the last election, all of a sudden it has fallen into a big heap and nobody is interested. Nobody in this government is interested in the disparity in fuel prices.

Why are people consistently paying an extra 10c or more for fuel within a 100-kilometre radius of major centres? This issue needs to be investigated by a select committee and I believe we should be doing that in Queensland. Queensland is unique in terms of the 8.35c per litre subsidy. Interestingly, at Tenterfield fuel costs only 79.5c.

Time expired.

Mr MULHERIN (Mackay—ALP) (6.35 p.m.): I think all honourable members agree that fuel prices in Queensland are unfair. There is a great disparity in prices across Queensland. We have heard the member for Toowoomba South and the member for Hinchinbrook calling for an inquiry to be set up. What will an inquiry achieve? We all know the prices are unfair. The inquiry will end up finding that petrol prices are unfair. However, at the end of the day, it will really take the federal coalition government to act to set up a national inquiry.

Since the Beattie Labor government came to power, we have demonstrated our commitment to helping achieve lower fuel prices for Queenslanders. Repeatedly, this government has called for the federal government to face its responsibilities and address the issue of exorbitant petrol prices, especially in regional Queensland. Queensland introduced the fuel

subsidy scheme in 1997, with a subsidy of 8.354c per litre for on-road use. Our government has worked hard to improve this scheme to ensure that motorists reap the full benefits, and without this subsidy the tax on petrol would be even greater.

In April last year, the Premier called on the Prime Minister, John Howard, to act and establish a petrol price relief fund to be applied when world oil prices rise or the dollar falls to low levels. The idea of the fund was that in adverse conditions where the Commonwealth would gain a resource rent tax windfall a temporary reduction in fuel excise could be implemented to moderate the sharp increase in fuel prices. Not long after this suggestion from the Premier, which had fallen on deaf ears, escalating tensions in the Middle East saw the price of a barrel of crude oil in New York jump 87c to $30.71, which at the time was the highest price since February 2001.

High world petrol prices have a flow-on effect to Australian consumers, and every time motorists pay more at the pump they are also boosting the federal government's tax revenue. In response to dramatic differences in fuel prices within central Queensland, in January 2001 I wrote to Professor Allan Fels of the ACCC about the regional variation of fuel prices in Queensland. The professor indicated that the ACCC could inquire into petroleum products under the Prices Surveillance Act but only at the direction of the federal Minister for Financial Services and Regulation. The act enabled the ACCC to examine prices with the objectives of promoting competitive pricing and restraining price rises in markets, but its capacity in the surveillance of petrol was removed from the act in 1998. Therefore, wholesalers of petrol are free to set their own prices based on market conditions. While the ACCC still monitors the situation, there is only so much it can do.

In his response, Professor Fels referred to the ACCC report on the movement of fuel prices, which details the factors that influenced price increases. He states—

> These factors include international prices, the Australian/US dollar exchange rate, Federal and State excises and taxes and discounting in the market. All of these factors have had an influence on prices in recent times, but particularly changes in international prices together with changes in the value of the Australian dollar.

So while it is clearly a federal government issue, it seems the Commonwealth is refusing to do anything to combat rising petrol prices. Meanwhile, its inaction means that people in regional areas such as Mackay will continue to suffer and Mackay consumers, businesses and farmers will continue to feel the significant impact of changes in oil prices.

While fuel continues to be such a vital resource, the Commonwealth must do its best to provide stability and fairness for consumers, and it has failed to do so. The Premier stated earlier that a balance needs to be established so that independent service station operators remain viable so they can offer competition to larger companies. Most service stations in Mackay are multi-site stations owned by large companies. Mackay does not have a Woolworths or Coles Myer Shell site as yet, but the introduction of such businesses would undoubtedly start a price war in which independents would be the losers. Independent operators often do not get the support that other large companies get during fuel price wars, and I hold strong concerns that the few independents left in Mackay will eventually be forced out of the market.

About a month ago, I received a number of calls from irate constituents regarding petrol prices in Mackay, which had risen to nearly a dollar. In comparison, Rockhampton's and Townsville's price was around the 88c mark. Even when prices started to ease, it took a couple of weeks for prices to fall to reflect other falls across the state. This further strengthens the argument that the federal government needs to reinstate the provisions of the Prices Surveillance Act and adopt a national inquiry.

Time expired.

Hon. V. P. LESTER (Keppel—NPA) (6.40 p.m.): There needs to be, in no uncertain terms, an inquiry into the different prices of fuel, as the opposition has stated. I want to make it very clear that there are huge discrepancies in prices, not only between Queensland and other states but also throughout our regions in Queensland.

Today I took the opportunity to do some research. It is fair dinkum research from the Internet and Price Watch. It tells a story—a very sad story. The story of today's fuel prices is this: Brisbane west, 69.5c; the bayside, 64.9c; Caltex at Rothwell, 66.9c; Shell at Sunnybank, 65.9c; and—guess what—BP Yeppoon today, 83c. Isn't that a crying shame! It is not the fault of the retailer in question because he is making no further profit.

I point out that, at this particular time, the Rotarians from Yeppoon have come to the parliament to hear the debate tonight because they are sick to death of the prices that they have

to pay, which are higher than people pay in Brisbane. We are looking at nearly 20c per litre more. That is wrong and this government does not want to do anything about it.

However, the story gets very much worse. At Birdsville they pay $1.10 and at Emerald they pay 85.9c. The poor people at Eurong, Fraser Island, pay $1.42. At St George, where there is a lot of work going on at the current time, they pay 95c. That is a crying shame. It is not fair. It is discrimination. It is totally wrong.

Government members: Ha, ha!

Mr LESTER: Some Labor Party members are laughing; that is how seriously they take this issue. They should give the game away. As I said before, we are talking about price differences of over 20c per litre.

These excessive prices are hitting central Queensland primary producers, businesses and families very hard, making it very difficult for them to remain competitive and to make ends meet. It is time something was done to ensure that our regional communities are not disadvantaged by excessive fuel prices. The state government needs to take leadership in the matter. That is what it needs to do.

There was a time when there was only 4c difference between the price of fuel in Brisbane and the price of fuel in Longreach, Mount Isa, Quilpie or Thargomindah. There is no reason that prices cannot be brought back to a fair and equitable rate again. It was done in the past. It is not done now. Because governments are concentrating on the south-east corner, they could not give a diddly-squat about what the people in central Queensland, Longreach or Mount Isa really have to pay. As members of parliament, we have an absolute responsibility to find out the reasons for this and implement solutions for efficient and equal pricing right across the state of Queensland.

From time to time we have talked about the fuel subsidy scheme. There has been some concern that it could be taken away. We certainly do not want that to happen under any circumstances, although even that subsidy does not solve the problem fully. It is time that this inquiry took on the big oil companies to find out what is really going on. From time to time fuel prices in New South Wales are not greatly different from what they are here and yet somebody is making a lot of money. It is the big fuel companies, and I do not think the government is game enough to take them on. That is the deal here.

Fuel is not a luxury for primary producers. It is vital for primary producers and is one of the major input costs of production. Businesses have to be competitive. Businesses have to pay. We are trying to prop up many people in the city by taking our goods to the international market, but if the price of fuel is too high we cannot afford to do that. Therefore, higher costs will come back to the people in the cities. Fuel is not a luxury for businesspeople. It is essential for the effective delivery of their goods and services.

Time expired.

Mr MICKEL (Logan—ALP) (6.45 p.m.): What a command performance we have just witnessed! I am sure the visiting Rotarians would be pleased that their Rotary member from Yeppoon has been wound up tonight for that command performance. There is nothing like a visiting Rotary club to get the honourable gentleman wound up. I listened to the honourable member for Hinchinbrook. You do not need sleeping tablets when he is talking. All you have to do is put him up for 10 minutes and bang! You are out like a light. To the visiting Rotarians I say: do not think that we are kept up all night with that sort of performance. We are not. The member for Hinchinbrook sends us gently to sleep in the late hours with just such scintillating performances.

What we have heard from National Party members is simply this: they say that it is unfair and they want us to set up an inquiry to prove what? That petrol prices are unfair! We already know that it is unfair. They have already told us. One only has to wander around in my electorate to see the price differential in the petrol prices to know that it is unfair. So why would we want a whole bunch of the jokers opposite wandering around, scaring the daylights out of my constituency, to say it is unfair? We know it is unfair.

I heard the honourable member for Hinchinbrook, Old Dozey, get up and say—

Mr SPEAKER: Order! That is unparliamentary.

Mr MICKEL: Of course it is. I withdraw. I was provoked.

Government members: Ha, ha!

Mr MICKEL: If Bob Katter can be provoked, so can I. The point is that the honourable member for Hinchinbrook talks about Mike Kaiser. He never spoke about Kaiser when he was in

here, because he was not game. Kaiser put it on the record that at the next state election—which was the last one—the only way to get any fundamental change was through the federal government. What he said, and what we followed up, was this: the Howard government was not listening to us and the only way we could get the Howard government to listen to us prior to the last state election was to put petrol prices firmly on the agenda. That is what we did. When it did not listen, we said, quite correctly, the people would send a message to the Howard government. Boy oh boy, didn't they do it! They cut the jokers opposite down. They reduced the Liberal Party to three. When they still did not listen, what did they do? They lined them up in Ryan and cut them down. Then and only then did they start to listen.

We did not need an inquiry. We needed an election and, by golly, once we got that election didn't they start to listen? Again the point is that if petrol prices are still unfair, and members opposite say that they are, then the appropriate authority, which is still not listening, is the federal government. It is not listening because the federal government stripped away the powers of the ACCC and will not give it a reference. If members opposite are fair dinkum about wanting to do something, they know as well as I do that petrol prices and petroleum products transcend state borders and, therefore, they need a federal response. Of course, those opposite will not do that because it means they will have to get on to the federal government in Canberra to get a reference to the ACCC.

Do members know why they are scared about that? It is because they know how hopeless the federal government has been when it comes to regulation. They have all spoken from time to time about HIH. Why did it fail? Because of the failure to properly regulate the insurance industry. That was strike one. Strike two was the failure to properly regulate the pharmaceutical industry. Strike three, and just as importantly, is the failure to regulate petrol prices.

We care about this issue. That is why the honourable Treasurer has $499 million in fuel subsidy to keep fuel prices in Queensland 8c a litre cheaper than all other states. That is our response. It is a real response. It is half a billion dollars worth of care and concern for people, no matter where they are. That is our response to it. The only miserable response from members opposite is to get a few people into a few hotel rooms around Queensland. They do not have to do that. They should use the telephone and get onto the federal government.

Time expired.

Mr FLYNN (Lockyer—ONP) (6.50 p.m.): I essentially support the motion of the Leader of the Opposition for the set-up of a committee to examine fuel prices. However, I move the following amendment to the Premier's amendment—

Delete all words after 'to' in the second paragraph and insert—

assist in this process, Parliament supports the establishment of an all party Parliamentary Select Committee to inquire into the disparity of fuel pricing across Queensland to make any recommendations necessary to ensure transparency and fairness in Queensland fuel pricing.

The committee is to comprise of 3 members of the Government, 2 members from the Opposition and 1 member from the One Nation Party, with the Government holding the Chairmanship of the Committee and the Chairman possessing a deliberative and casting vote.

Mr SPEAKER: Do you have a seconder to that motion?

Mr LINGARD: I second the motion.

Question put; and the House divided—

In division—

Mr MACKENROTH: Mr Speaker, whilst there are insufficient numbers on the other side, I would draw your attention to the fact that the member for Beaudesert did second the motion and is sitting on the wrong side of the chamber.

Mr LINGARD: It does not say whether a person seconds a motion.

Mr Mackenroth: Cover you head!

Mr LINGARD: I think there has already been a statement in the House that a person does not have to cover their head. It is a matter of how you vote, not a matter of which amendment you move.

Mr SPEAKER: The member for Beaudesert is correct. Order! In accordance with standing order 148 I declare the question resolved in the negative.

Question—That the amendment be agreed to—put; and the House divided—

AYES, 67—Attwood, Barry, Barton, Beattie, Bell, Bligh, Boyle, Bredhauer, Briskey, Choi, E. Clark, L. Clark, Croft, Cummins, E. Cunningham, J. Cunningham, Edmond, English, Fenlon, C. Foley, M. Foley, Fouras, Hayward, Jarratt, Keech, Lavarch, Lawlor, Lee, Livingstone, Lucas, Mackenroth, Male, McGrady, McNamara, Mickel, Miller, Molloy, Mulherin, Nelson-Carr, Nolan, Nuttall, Pearce, Phillips, Pitt, Poole, Reeves, Reilly, E. Roberts, N. Roberts, Robertson, Rodgers, Rose, Schwarten, C. Scott, D. Scott, Shine, Smith, Spence, Stone, Strong, Struthers, C. Sullivan, Welford, Wells, Wilson. Tellers: T. Sullivan, Purcell

NOES, 17—Copeland, Flynn, Hobbs, Hopper, Horan, Johnson, Lee Long, Lingard, Malone, Pratt, Quinn, Rowell, Seeney, Simpson, Springborg. Tellers: Lester, Watson

Resolved in the **affirmative**.

Motion, as amended, agreed to.

Sitting suspended from 7.01 p.m. to 8.30 p.m.

GAMING MACHINE AND OTHER LEGISLATION AMENDMENT BILL

Second Reading

Resumed from 13 May (see p. 1697).

Mr QUINN (Robina—Lib) (8.31 p.m.): In rising to speak to the Gaming Machine and Other Legislation Amendment Bill 2003, I indicate that we will support the legislation. The bill itself proposes to establish a scheme for reallocating gaming machines within the cap of 18,843 machines, and the scheme itself is based on the concept of what will be termed 'operating authorities'. Authorities will be associated with each of the currently approved gaming machines and may be traded. However, trading will be permitted within each region only.

This is a scheme that establishes what is really a controlled artificial market—something like the taxi licence regime in Queensland. In the longer term it will have all the attendant problems associated with that sort of regime as well. Whilst we support the legislation, I would like to say that we do foresee some problems down the track if there is a move to reduce the number of machines or vary the scheme in any way, shape or form.

This legislation is intended to prevent the drift of machines from country areas to the city. The bill proposes to establish three designated regions throughout the state, and they are listed in the legislation. This will enable hotels seeking to install machines or install an increased number of machines to purchase the necessary authorities to do so, but only where other hotels have decided to reduce their approved number of gaming machines and hence authorities.

The government will oversee the sale process, with sales occurring via a tender system. Initially there will be only one authority allocated by the Queensland Office of Gaming Regulation for each approved gaming machine attached to each gaming machine licence, and authorities will be shown on the gaming machine licence.

As I said, there is a statewide cap—currently it is 18,843—which will be set by regulation, but this does not preclude the government, as I understand it, from changing the cap at any particular time. That is where having this controlled artificial market and then changing the number of machines by regulations can provide some problems in the future—a bit like changing the number of taxi licences in that artificial market.

Mr Mackenroth: Actually, we ensured that that was in this legislation so that people are aware of it. So in the future if the population increases, if you want to increase the cap—

Mr QUINN: Exactly.

Mr Mackenroth: Anyone who buys an authority will do it with open eyes.

Mr QUINN: I understand that, but it does have all the attendant problems of a controlled market like, for instance, taxi licences. If at some stage in the future the government wishes to deregulate, then it faces all those attendant problems as well.

The legislation, as I said, makes it a requirement that the government oversee the sale process. However, the legislation does require a commission to be paid to the government as part of the sale of each authority through the tender process. Those commissions will again be set by regulation, as I understand it. A commission of 33 per cent is proposed where a hotel wishes to reduce its number of authorities but continues to operate gaming machines—that is, less than 50 per cent of the total number—and a 50 per cent commission where a hotel wishes to dispose of all of its authorities.

Obviously, I do have some problems with such a high rate of commission. Thirty-three per cent and 50 per cent would be thought by most people to be excessive, but this legislation provides for that commission rate to be set by regulation. I will have a look at that further down the track when the regulations are placed in the gazette. The government does state that the commission will be paid into the existing Community Investment Fund and will therefore be available to fund social and community programs of statewide significance. I would simply like clarification: my understanding is that all funds paid into that fund can only be used for those particular purposes. Can any of the funds be redirected at the whim of the minister, or must they be used for those social and community purposes as described by the existing Community Investment Fund?

I have a couple of other questions concerning the way in which the scheme is set up. I understand from the legislation and the second reading speech that the scheme is set up to stop speculation with regard to the machines. Is there another scheme like this in Australia that is set up similarly? If so, what is its success rate in terms of stopping the speculation? Are there any attendant problems to be found as a result of interstate experience? In other words, what can we look forward to in Queensland once the scheme gets under way?

Another issue is how many government authorities are currently held—in other words, how many machines are not allocated to hotels at the moment and reside with the government? How many of those authorities are held to start with? Does the government have any idea once the scheme starts as to what the price of an authority might be? That will be very much open to the tender process, to start with.

Mr Mackenroth: Market forces. The authorities which we hold now are ones which have been handed back since the cap started. We have not generated any—

Mr QUINN: I understand that.

Mr Mackenroth: There are some that have been handed back.

Mr QUINN: Can the minister give some indication as to how many are currently held by the government? Is there a time frame for the disposal of those authorities? Will it be done in one tranche or will the government wait until the scheme starts, the trade starts, the tendering process starts and then over a period of time put those authorities back on to the open market?

As I said, this scheme has all the attendant problems with a controlled market—with government involvement. One would have to look carefully at how the government uses its power to control the authorities it has to see whether or not it will get fair value for the ones that it currently has. As I said, we will be supporting the legislation. We are not too fussed about what we see as rather large commissions—33 per cent and 50 per cent—but those are matters for the regulations and we will be looking at those carefully when they are provided in the *Government Gazette*.

Ms STRUTHERS (Algester—ALP) (8.37 p.m.): Many Queenslanders love to gamble, and for those with a comfortable income and standard of living the risk of loss will not adversely affect their lives. But my concern is with the small percentage of problem gamblers who cannot set limits. Many of us see these sorts of people in our electorate offices. They suffer, their families suffer and overall the state economy suffers from the burden of family breakdown and social support that is needed to help these people get back on track.

I commend the Treasurer and the staff of the Queensland Office of Gaming Regulation for maintaining and promoting a very strong regulatory framework for gambling in Queensland, and specifically I commend this bill. It maintains a cap on available machines whilst providing a system for the redistribution of available machines within that cap. It is very important to have the cap. In fact, there are probably four key elements that I consider to be very important in a responsible gaming system. Two of these are an effective and transparent regulatory framework, and an effective and widely implemented responsible gaming strategy in venues.

Again, it is worth commending the Hotels Association, Clubs Queensland and venue operators around the state because it is pleasing to see that, in the main, most—and I have been in many clubs and hotels throughout the length and breadth of Queensland—have taken their responsibilities in regard to responsible gaming practices very seriously.

The other two elements are an accessible and affordable system of support services for problem gamblers and stringent controls on the number of gaming machines. It is good to see that Queensland has directed a lot of effort to these four key areas. The cap came at a very important time because there had been a strong community call for a cap on machines. Back in

1999 the Productivity Commission report found that 75 per cent of people surveyed believed that gambling does more harm than good and 92 per cent did not want to see an increase in the number of gaming machines. So public opinion was well behind that policy decision to cap machine numbers at that time.

The bill will provide for a market in tradeable gaming machine authorities and enable the reallocation of gaming machines within the three geographic regions. That is very important so that there is not, as the Treasurer has noted, a drift of machines from the low-use country or regional areas, where there are not so many, to the high concentration areas. Around my electorate, in the Logan to Ipswich corridor, there is largely a high concentration of machines. It is important that the country areas continue to have viable clubs and that they do not end up concentrated in the low socioeconomic areas around Woodridge through to Goodna, Redbank and out to Ipswich.

I must admit to not being totally clear on how this market and the dispute resolution process may work in practice. My guess is that problems will arise when machine owners try it on the state government for compensation if policy changes occur in the future and they have a negative impact on their investment in machines. However, the Treasurer is a very capable Treasurer and I am sure that in delivering this legislation he has thought these issues through. There is a significant potential for disputes, and I know that the Treasurer has well recognised that in the work that he has done to bring this bill to the House. I wish to support the Treasurer in his ongoing efforts to rein in and maintain a well-regulated gaming industry in Queensland. It is estimated that Australians—and Queenslanders are high on this list—currently spend, or lose, about $800 a year each on gambling, and more than half of that is spent on gaming machines.

I had the benefit of meeting with a delegation of Fijian MPs at this parliament a number of months ago. One of the issues they were asking me about was our system of gaming and gaming machines in Queensland. They were desperately wanting to find a way to fund Fiji Rugby Union and there was pressure on them to actually set up a gaming industry. I understand that currently they do not have gaming machines. I said that this model in Queensland is probably one of the world's best practice models in terms of its regulatory framework and that maybe it was best to send a specific delegation to have a good look at our model in Queensland. They seemed pleased with that advice. I certainly could recommend it as a very good, strong regulatory regime in terms of gaming. I encourage the Treasurer to remain vigilant in this regard. I commend the bill to the House.

Mr REEVES (Mansfield—ALP) (8.42 p.m.): It gives me great pleasure to rise to support the Gaming Machine and Other Legislation Amendment Bill. The gaming industry is, as the previous speaker said, a large industry. While there are problems with the industry, such as problem gamblers, this government has done more to try to rectify these problems and try to put a cap on them. It is also important to recognise that people who use poker machines are often maligned as problem gamblers. The vast majority of people who use poker machines do so for entertainment, whether at a pub or a club. It is a social day out for many. It has also created a friendly atmosphere for them, whereas previously a lot of people used to be stuck at home. Now they actually get out, go to a pub or a club for a cheap meal, have a go on the pokies and mix with friends. Some might say they talk to the poker machines a bit, but it is all in good fun. Women, particularly elderly women, used to regard—and rightfully so—the pubs and clubs of yesterday as a place they could not go to. The pub owners and club boards have recognised this fact and have put money back into their clubs and hotels and have provided the great facilities.

In the past pubs were the fabric of the local community, particularly in rural and regional Queensland. The pub industry is often maligned, particularly by some sectors of the club industry, as the wreckers of the club industry. Many of the clubs of today were started in the pubs of yesterday. I will give an example. Rochedale Rovers Soccer Club, which is in the electorate of Springwood, is a great club. It is managed at the moment by the Queensland Lions Club. Rochedale Rovers Soccer Club started at the fields next to the Glen Hotel. The proprietors of the Glen Hotel assisted them and found them a facility at the end of Underwood Park at Logan and assisted them in forming the club they are today. In fact, as far as I know, the owner of the Glen Hotel is a life member of the Rochedale Rovers Soccer Club because of that. There are many other such examples.

People in the club industry today should not forget that without the pubs of yesterday and even today their clubs would not survive. Before getting involved in politics I was involved with junior Rugby League clubs. Today I am still involved with the Brothers Rugby League on the north

side. I still sell raffle tickets at the Hamilton Hotel every Thursday night. That provides for jerseys, first aid equipment and the basic running.

We often hear, to its own detriment, the club industry attacking the hotel industry, but the hotels play a major role in our community. Yes, they are private enterprises. As long as those hotel owners put some of their money back into the community and assist community clubs, it is a win-win situation for everyone. Some clubs in rural and regional Queensland cannot build up to that level, but hotels can. The hotels can provide services to the community groups, as they have done in the past and as they are doing at present. I have many friends in both the hotel and the club industry. It is easy for some within the club industry to knock the hotel industry, but they have to remember that most of the clubs of today started from the pubs of yesterday and are still involved. Hotels do make up an important part of our social fabric and help a lot of community groups. I remember that one day the member for Gregory came in here telling us about the help that one of the hotels in his electorate provided. He could not have a club in the town he was talking about because of its size.

It is also important to keep the cap on the number of poker machines, which is presently at 18,843 machines. This legislation will simply enable hotels seeking to install machines or to install an increased number of machines to purchase the necessary authorities to do so but only where other hotels have decided to reduce their approved number of gaming machines and, hence, their authorities. It is important to remember that, even though we have a cap on gaming machines, new residential areas will develop. If a new area with 15,000, 20,000 or 30,000 people develops, no-one is going to put their money into a hotel licence if they have no chance of receiving an income stream like all their other competitors. It is not going to happen. We have to ensure that where hotel owners decide to develop a new hotel in a certain growth area they are able to have access to gaming machines. That is an income stream that all their competitors have access to. That is what this legislation does. Not only does it say they can have access; it says they have to do what every club and hotel has to do. They have to jump all the hurdles—get all the approvals through the Office of Gaming Regulation, undertake the community impact studies and the like—before they can actually apply for the authorities, which is very important. It is very important that we keep that step. So if any hotel wants to increase its gaming limit from, say, its current 25 machines to 35, before they can even apply for the authorities they have to go through the same processes as all the other clubs and pubs, that is, undertake the community impact studies—and even local councils and state members have an input.

That is important. That was an important part of the legislation that was changed. One of the local establishments in my electorate, Dicey Reilly's Irish Bar at Garden City Shopping Centre, is an excellent Irish bar. It wanted to put in gaming machines. I told it that in my opinion I disagreed with having gaming machines in a bar that was so close to a shopping centre. Its entrance is the same as the shopping centre entrance. It respected my opinion. I floated the idea in the community and the community came up with the same opinion. I was able to inform the Office of Gaming Regulation of those thoughts. Mind you, that hotel is a sensational hotel for the people of my electorate. In fact, I think many people go there because it does not have pokie machines. There needs to be that balance. There needs to be those types of entertainment facilities—that is, ones that have a focus on gaming machines and those that do not.

Ms Keech: Choices.

Mr REEVES: Choices, as the member for Albert says. It is very important to have those choices.

Initially, there will be one authority allocated by the Office of Gaming Regulation for each approved gaming machine attached to each existing gaming machine licence, and authorities will be shown on the gaming machine licences. There will be three geographical regions: the south-east region covers from the New South Wales border north to Noosa and west to just outside Gatton; the coastal region includes the Torres Strait to just north of Noosa to around the Great Dividing Range; and the western area, not surprisingly, is the area generally west of the divide. It is very important to have those geographical areas. Let us take, for example, the town of Chinchilla. We do not want a situation where all of a sudden someone says, 'Let's get rid of all these authorities out of Chinchilla so they can be thrown to the city,' because the people who rely on Chinchilla hotels such as the Club Hotel for gaming machine revenue to run the football club will not be able to do that because quite simply the hotel—

Mr Horan interjected.

Mr REEVES: No, that is true. The important thing with regard to geographical areas is that gaming machines cannot just go into the one area, which would happen if those geographical areas did not exist. There needs to be a balance. We cannot have all the machines in one particular area. If we did, the proprietors of the industry would pitch their sales to areas where all the people are.

Authorities will be tradeable but trading will only be permitted within each region. This is intended to prevent the drift of machines and the facilities which they support from country areas into the city. Government will oversight the sale process, which requires a commission to be paid to the government. There will be restrictions on the number of authorities that sites may trade each year and they will be able to make only one sale in every 12-month period. The initial allocation of authorities will be to existing hotels with gaming machines. Licensees who have arrangements with landlords should also hopefully be attempting to reach agreement with hotel owners, but there will be a dispute resolution process created.

On the whole, this bill is sound legislation. It is realistic legislation. It is realistic in that, yes, we have the cap. Let us keep the cap, but we cannot stunt the growth of the hotel industry, particularly new developing industries which will not be able to compete against others in the industry. Their competitors would have an unfair advantage, but this bill allows for that not to happen. While there are issues with problem gamblers, they represent a very small minority. The gaming industry plays an important part in our society. One only needs to look at the Gambling Community Benefit Fund. On the south side alone since 1998 over $6 million has been given to community and sporting groups.

Finally, I reinforce the first point I made—that is, it is important that we remember that the hotel industry plays a very important role. In many parts of Queensland it is an important part of the social fabric of that community. It is the hub of the community. It is important that we allow the hotel industry to remain within the leisure industry. It is important to remember that many clubs throughout Queensland today were created from the pubs of yesterday. Today the small community clubs rely on the hotels within the area to fund their teams and organisations. I support the bill.

Mr CHRIS FOLEY (Maryborough—Ind) (8.55 p.m.): I refer to the Queensland Responsible Gambling Strategy which was put together by the Hon. Terry Mackenroth. Defining problem gambling is sometimes a contentious issue, but the Productivity Commission's report on Australian gambling industries in 1999 identified the impacts of gambling on a continuum ranging from adverse consequences to severe problem gambling. Severe problem gambling not only affects people who gamble but also extends to partners, families and the broader community. Some of the consequences of problem gambling can include guilt, depression, suicide, debt, poverty, divorce and also involvement in crime.

Some of the priority action areas identified by this particular paper are as follows: firstly, to enhance responsible gambling policies and programs through research; secondly, to increase community knowledge and awareness of the impacts of gambling; thirdly, to reduce the risk factors for problem gambling through early intervention; fourthly, to develop a statewide system of problem gambling treatment and support services; fifthly, to ensure that gambling environments are safer and more supportive for consumers; and, sixthly, to promote partnerships to address statewide and local gambling issues and concerns.

Gambling is an interesting phenomenon in our society and is certainly no new thing. In fact, Relationships Australia Queensland runs a program called Break Even which provides a face-to-face counselling service to people with a gambling problem or to the partners or relatives of people with a gambling problem. It provides assistance in overcoming a gambling problem like exploring the extent and the nature of the gambling behaviour and factors which trigger the behaviour or encourage its continuation. It also looks at strategies for controlling gambling behaviour through minimising the harm resulting from gambling and other strategies to avoid relapse into uncontrolled gambling behaviour. It also offers financial counselling to address debts, cope with creditors and reorganise financial affairs generally, provides counselling to address the underlying issues linked to gambling and the impact of gambling on relationships and family lives and provides steps to relieve that impact.

As we look a little closer to home in general, a gentleman called John Tully runs the Gambling and Family Care Counselling Service on the Gold Coast, which is just down the road from the Conrad Jupiters Casino. As he deals with problem gamblers on almost a daily basis and is not convinced that the industry and governments are doing enough to help, he reported recently that he has been working with people for 40 years and they are human beings and they

suffer very deeply from things like gambling. He also asserts that they suffer because of the greed of those who want to profit from the industry and the governments that want taxes. He notes that Australia is a nation of gamblers. In fact, the latest research shows that between 80 per cent and 90 per cent of Australians gamble at some time in a year, whether that is a flutter on the Melbourne Cup or the lottery or a few coins in a pokie machine.

But, unfortunately, for there to be winners there must also be losers. One does not need a degree in rocket science or maths to work out that there must be more losers than winners if the gambling industry is to survive. Until recently little was known about the scale of problem gambling. A Productivity Commission study published in 1999 estimated that about 2.1 per cent of Australian adults were problem gamblers. That is about 290,000 adults—roughly the total population of Canberra. If we add to that the impact of problem gambling on family and friends, the figures begin to grow. In 1999-2000 the Queensland government received $609 million or some 13 per cent of taxation revenue from gambling taxes. Do the means justify the end?

Going back to my electorate of Maryborough, we have 17 gaming sites. Six of those are open at 8 o'clock on a Sunday morning, 10 at 10 a.m. and one at 9 a.m. I ask honourable members: why do people need to be gambling at 8 o'clock on a Sunday morning? In conclusion, I would like to see no transferability; simply, if a gambling site closes down, the gaming licence should be extinguished.

Mr MICKEL (Logan—ALP) (9.00 p.m.): I welcome enjoining the honourable member for Maryborough in a debate on gambling. It will be interesting to hear where he lines up on country racing and those sorts of issues. There is such a thing as individual responsibility. We do not need government to do everything. Two per cent was all he could come up with. Some 50 per cent of marriages end in failure. Are we going to ban marriage?

This is a welcome piece of legislation. It establishes the cap for hotels. The cap for hotels is important for my electorate, because it is one of the few that has a club with the maximum number of poker machines, and we are in a growth area. To raise the cap for hotels but to keep it for clubs would have disadvantaged the people in the club industry in my electorate. I welcome the fact that transferability will be permitted in growth areas. Sensibly, machines can be relocated from hotels that have closed down or areas that may no longer need them to high-growth areas. One of those high-growth areas is in the electorate of Burleigh, where there is a proposal for a hotel with poker machines. Hopefully, under this proposal that proponent may be able to secure those extra machines.

I welcome the fact also that the Queensland Gaming Commission retains oversight. I commend David Ford and his staff for what they do. On the whole, I find the Gaming Commission is very balanced; I have won one case that I took before it and lost the other. I am pleased it will have oversight of this legislation.

There are hassles with some of the clubs in my electorate, for example, the Greenbank Sport and Recreation Club, which is on the edge of my electorate. It has a small number of machines—an insufficient number to meet the funding requirements under local government and new council regulations, and some of the regulations that we have introduced as a government on antismoking measures. They are not in a position to upgrade their facilities. However, as a sporting club they get that small revenue stream. It is not enough to expand, but not enough, either, for it to qualify for the other grants that we give out for sporting clubs. However, I commend the work that they are doing in Greenbank. It is a fast-growing area. I try to provide the representation to the area that it should have; it is in the corner of the electorate of Lockyer. Those people cry out for decent representation and, because I am a man of infinite charity, I provide that to them.

The other group I commend to the Treasurer is a group called the Logan Liquor Industry Action Group, set up with the encouragement and support of my colleague the member for Springwood. It is a group set up in Logan to help clubs and hotels with the variety of issues that those establishments face these days, whether it be security, local government acts or any new liquor acts that we have, and also issues to do with the gambling industry.

Tonight, because this is a bill to do with gaming in hotels, I wish to express my appreciation on behalf of the schools and the community groups in my electorate that have been helped by the generosity of families involved in the hotel industry. I do not want to nominate those individuals because, in some instances, they have asked that their help be kept confidential. But it would be unfair if I did not point out to the House the generosity that they have shown in terms of the school fetes, the raffles and also a very worthwhile school community project that we are

doing and which will be financed by some of the families involved in the hotel industry. Soon after I became a member, they approached me to see whether they could offer assistance to families who might have hit on hard times. I commend them for their generosity and for their spirit of community involvement.

I want also to recognise the work being done by the community benefit fund. I wish to tell the Treasurer how much I value and how much the community groups in my electorate and the electorates of Springwood and Woodridge value the work of Di Campbell and her staff from the community benefit fund. I understand that she ran an excellent seminar in the electorate of Albert. Following on from that, we had a similar group meeting in Logan City. We invited people from throughout Logan and North Beaudesert and they ran a seminar on how to help groups in my electorate apply for funding. As a result of that, we have had some wonderful schemes in schools that never would have otherwise raised the money.

In my electorate, fetes are very lucky to break even these days. After a heck of a lot of work, months of preparation and more hard work on the day, they might walk away with $8,000. They are not in a financial position to raise the money. A good grant from the community benefit fund has been able to help schools such as the Burrowes school and the Crestmead school to get an all-purpose sports facility. The Burrowes school was able to help finance a wonderful community school. Recently, the Treasurer was able to announce that the Greenbank school P&C would get lighting for a swimming pool through that program. That might not sound like a big deal in other areas. However, for the many families that had no infrastructure there, that $29,000 meant everything. They wanted to thank the government and in particular the officers of the community benefit fund for helping them. Another school in my electorate had been trying for ages to get a small area from which to sell school uniforms. They did not have a hope of raising the money, but through this fund they were able to get it.

In conclusion, with this imaginative scheme a group called the Logan City Multicultural Neighbourhood Centre, by working with our Community Jobs Plan, BoysTown Link Up, Arts Queensland and the community benefit fund in a joint submission, was able to provide a wonderful meeting room complex for community members from the many different migrant backgrounds we have in Logan City. People from something like 163 different ethnic backgrounds make their homes in Logan City—the largest in Australia. By joining all of the state government grants together, this group was able to fund this wonderful facility. It was able to do this at a time when it has been asked, as some other groups in Queensland have been asked, to fund the refugee resettlement program. We are picking that up in Logan City, and very proudly. Even though there are a stack of problems there, it has found it in its heart to do this. It knows that whilst charity begins at home it does not have to end at home.

Madam Deputy Speaker, I commend this proposal to you. I hope the Treasurer will pass on the thanks of the members from Logan City to the people who run the community benefit fund for their understanding and the way they help us with our submissions.

Madam DEPUTY SPEAKER (Ms Male): Order! I welcome to the public gallery the principal and the P&C executive of the Oxenford State School in the electorate of Gaven.

Ms BOYLE (Cairns—ALP) (9.10 p.m.): I am pleased indeed to support the Gaming Machine and Other Legislation Amendment Bill 2003 and to pay my compliments to the Treasurer. This bill very much reflects the style of the present Treasurer in the Beattie government.

In May 2001 Treasurer Terry Mackenroth announced a statewide cap on the total number of gaming machines in hotels. Not long after that, he announced that he would consider a scheme for reallocating gaming machines within the cap and that he would do that in consultation with the hotel industry. Since that time, and with the assistance of the Department of the Treasury and the Office of Gaming Regulation in particular, he has painstakingly and steadily developed what I believe to be an absolutely sensible and reasonable scheme, which forms the basis of the bill before us tonight.

Today I have paid my compliments to three Labor treasurers of Queensland. This morning I attended a breakfast where the Premier and the Treasurer were presenting the budget to businesspeople from Brisbane, and I was pleased to see former Treasurer David Hamill. I can report to honourable members of the House that the former Treasurer is looking well indeed and not at all regretting his retirement from politics. I am minded to recall that he started the review of gaming in Queensland in the previous term of the Beattie government. He had asked the member for Cleveland, the member for Algester and my good self to review gaming in Queensland because it had, consequent on actions of the now opposition but for a brief period

the government, got out of hand. That was when I discovered that we had enough gaming machines in Queensland. I am pleased to say that the review itself was supported by then Treasurer Hamill and has been, in very detailed and practical ways, followed through on by Treasurer Mackenroth.

As it happens, I am able to inform honourable members that former Treasurer Keith De Lacy, a former member for Cairns, is present in the gallery tonight. Honourable members would be well aware that it is some five years since he retired. He has gone on contributing to the business life of Queensland and has also developed his skills as an author, writing a very fine book titled *Blood Stains the Wattle*. I recommend that book to all honourable members if they have not already enjoyed it.

During the introduction of gaming machines to Queensland, I recall how difficult it was for Keith De Lacy to find a sensible way to recommend to the Goss government to move forward. What we are doing tonight is a consequence of the cap on gaming machines. We are putting in place some way for the gaming machines that are surplus to the requirements of any particular hotel to be redistributed. The mechanism that we are using is reasonable and well considered in terms of the geography of Queensland, establishing three different regions within Queensland. It is important to recognise that this redistribution of gaming machines only concerns category 1 licensees, which of course are primarily hotels.

Managing this involves the creation of authorities whereby only one authority will be allocated by the Queensland Office of Gaming Regulation for each approved gaming machine. Trading will only be permitted within each region. Government quite properly will oversight the sale process and sales will occur via a tender. Of course, the scheme requires that a commission will be paid to the government as part of the sale of each authority through the tender process.

In Cairns, people who enjoy gaming machines as a recreation and those who do not all approve of government taking a cut of the proceedings. As the member for Logan expressed clearly, they enjoy the tremendous benefits that have accrued to community groups through the taxation, as it were, of gaming machines.

It is important to recognise that the scheme that we are introducing tonight places restrictions on the number of authorities sites may trade each year. The sites will be able to make only one sale in every 12-month period. Finally, and importantly, we are instituting special arrangements for any disagreements that occur. These special arrangements are what one would expect in the year 2003: they are suitable, non-confrontational dispute resolution processes. I commend the bill to the House.

Mr HORAN (Toowoomba South—NPA) (9.15 p.m.): The Gaming Machine and Other Legislation Amendment Bill is an important bill. It is a fairly reasonable and sensible bill in the way it deals with the development of poker machines within the hotel industry, which in some cases has not worked as well as people thought it would. I turn to the time when clubs were first formed. I note that a number of members on the other side have spoken very highly of the hotel industry. I have spoken highly of it because I have seen what it has done. It has provided so much in the way of sponsorships and so on.

One of the great strengths of the hotel industry in Queensland has been its family basis. Many hotels were owned by families. When I was playing league, it was often a player's dream to buy a pub in the country after the footy career was finished. That was the way to go. These days it is not that easy and it is not necessarily the direction that the hotel industry is heading in. Hotels in rural areas and in the suburbs have always given to P&Cs, footy clubs and the family who has had their house burnt down—through chook raffles and so on. They have been a centre for community support. They have always been a centre of great generosity.

When the club industry started, many groups and organisations thought that it was the pot of gold at the end of the rainbow. It has not turned out that way. In most regional cities there will be one big successful club. Generally, there will be a couple of medium sized clubs that are doing okay. Then there will be some smaller clubs that have been sensible. They did not expand but got the right number and the right nomenclature of poker machines into the clubs and have kept themselves within reasonable financial limits.

In some ways it is a shame to see the big Sydney league clubs buying up the unsuccessful clubs in Queensland. Whilst it has saved some organisations that got into financial trouble, perhaps by overestimating the income from poker machines, by overexpanding in capital works or by moving too quickly, it is a shame to see. Whilst those clubs have been saved and the community wellbeing of having a club is preserved, ultimately the profits go back to the big

Sydney club. Clubs like Penrith and the Canberra Raiders have all moved into Queensland to buy clubs that were in financial trouble.

When the idea of poker machines was first mooted for the hotel industry I supported it, because I always felt that pubs provided a hospitality service to people. They had always provided an avenue for friendship and enjoyment and, mostly, they were run by families. These days we have seen a trend for people to lease pubs from the big corporations or the big breweries. In any case, ultimately it is the owner or the manager of a pub who makes the place work. There is an old saying that there is no fertiliser like a farmer's footsteps. If the publican or the lessee gets to know the people, looks after the staff, provides good service and looks after the community, that hotel is generally a very good contributor to the community through local sports clubs and the people in the area.

When poker machines were allowed into the hotels, there were some problems. Initially they were only very limited in what they could have and in the coins that could be used in the machines. Basically, those problems have been overcome now. There is a limit of around 40 machines per hotel. The hotels that have used the system well have become part of a new wave or a new era. There has been a major refurbishment of hotels. Financially, it would not have been possible to have spent the huge amounts of money that have been spent in developing this new era in hotels. They have opened them up and modernised them in terms of where the bars are situated and so on.

We have seen the Irish hotels. We have seen the hotels that have gone back to small rooms. We have seen hotels that have the big open veneer doors that open out to the footpath and have dining on the footpath. There are those hotels that have got rid of the accommodation on the second floor and have allowed people to go up there and enjoy the hospitality on the verandah and on the top floor of the hotel and so forth.

This has brought about a whole new business of hospitality and has given an opportunity to the hotel industry to be viable. In many cases the ability of hotel owners, be they individuals or groups, to expand now has depended upon the poker machine revenue that they have been able to get. The other thing is that they were able to then compete fairly with the clubs. The clubs had quite a distinct advantage initially when they had machines and the hotels did not. One thing about hotels is that people—

Mr Mackenroth interjected.

Mr HORAN: Yes, they had 10, but they were limited to only 10c. There was some restriction, Treasurer, at that stage.

Hotels and clubs have their different advantages. Hotels have the advantage that people can walk in. People do not have to be a member. Anyone can walk into that particular hotel without having to sign a visitor's book and so forth. They both have their advantages.

Some people have spoken tonight about gambling and the problems of gambling. Things in life have to be looked at in a very balanced way. Yes, gambling is a problem for some people. Drinking is a problem for some people, but I have observed people who have enjoyed clubs and enjoyed pubs. If people are able to control the way they handle the gambling or the drinking, that means they can have a lovely night out. They set themselves a limit of $50 or $60. It is like someone saying they want to go to the theatre, to a test match or somewhere else; it is going to cost $50 or $60. With good sensible planning people can go to a club, have a nice meal, have a couple of drinks, be together with their family or friends and play the poker machines for that bit of excitement or enjoyment that someone else might get by watching speedway or something else. It is a good night out.

The clubs in particular provide a very important aspect to social fabric. My mother-in-law loved to go to the clubs and she had many friends. They would go to the club, have a pensioner's meal, have half a glass of beer and sit at the poker machines. That was the best afternoon out that they could possibly have. I think people have to respect that that is their particular enjoyment. If they can control and manage their budget and the amount of money they spend, it gives them a very nice time and something to look forward to in the week.

This particular bill is dealing with the hotel industry alone in the provision of these authorities which will enable those hotels that have poker machines and who wish to dispose of them a controlled and graduated process for doing so. It provides a process for those other hotels who wish to acquire additional poker machines, or authorities for poker machines, to be able to enter into a controlled, graduated system of acquisition. The process appears to me to be reasonable and sensible. It has divided the state into three areas. There is the south-east corner, there is the

region from Noosa north and then there is the area west of the Great Dividing Range. The authorities of those western or central-western hotels whose poker machines are no longer providing the income needed and that are not returning a surplus or a profit could easily be grabbed perhaps by the big hotels, the big chains, in the big areas of population in the south-east corner and it would all congregate into the south-east corner. I think that what should happen, and only time will tell, is that those spare authorities that come on to the market for tender could go to major areas of population such as Toowoomba, Dalby, Charleville, Roma, Goondiwindi or St George. They may well go there because, let us face it, poker machines have not worked everywhere.

In Toowoomba we have two golf clubs. The City Golf Club was highly successful before the days of poker machines. Since poker machines have been introduced they have built a facility in two stages. I think the total spending was about $15 million. They built the first half. When that paid for itself they then moved on to the second half. It is a very popular club. I think they probably have close to the maximum number of poker machines. They certainly have a lot of poker machines. It has been well built with the right design. The City Golf Club, right in the middle of town, has been very successful. It has been successful because it caters for the service that people want. There is a queue for Friday night meals because they are cheap and they are good value. It provides different little rooms where different organisations can have meetings and conferences and so on. They have worked to the market and they have done very well.

Middle Ridge Golf Club, which is a magnificent golf course, is in a different part of town where poker machines have not worked. It is in the very fringe of the south-eastern corner. It is probably one of the best golf courses you would ever get anywhere, but as a poker machine club it is not in the right spot, and that has not worked for it.

As I said, there have been different places where poker machines have worked. Every football club thought it only had to put poker machines in and it would be able to import half the New South Wales A Grade side up to play for it and have money left over. It did not work out that way because there is only so much money to go around. When poker machines were put in place they did not print new money. It had to come from existing sources. It came from businesses, from the money people would have spent on clothes or other things such as bingo. It had a dramatic effect on that and other things.

I think this scheme will work. I am pleased to see that it has been set up in a way that it will not become a Dutch auction. People will not be trading on them and punting on what they are going to get to because there is a limit as to how many a hotel can dispose of in that time. I think that should work.

There is a some concern as to what happens with a greenfield site. I know that, in looking at responsible gambling, hotels were capped. Clubs were not capped, but the poker machine levels in hotels were capped. We all see these new hotels that are developing in new growth areas. We have two in Toowoomba. We have one in my colleague's area, the member for Toowoomba North's area, at Highfields. It is a lovely tavern that has really contributed to the growth of that suburb and district. It has given people a heart that sits next to the community centre and it brings in shopping centres and so on. We have one in the south-west of our city, the West Brook Tavern, just on the edge of my electorate. That again has brought in shopping centres, development and so forth. These are new, modern style hotels. At this stage these greenfield sites that are developing will not have poker machines. I would appreciate the minister responding to this. The existing hotels have poker machines but the hotels that start in the future will not be able to. It is almost a necessary part of the funding and the borrowing process to build a modern hotel today. The government tends to look philosophically, to some extent, at the fact that these hotels got their machines free initially. Maybe they did, but they had to lease them and pay all the associated costs.

I hope that this brings about some betterment in those country areas, in particular where the poker machines have not worked. There is a high cost and a charge in having poker machines—the various lease fees and costs associated with it. In many places it simply has not worked. If it has not worked, people have to face the facts and let them go. They need to concentrate on providing that type of hospitality that people want, be it a kid's playground or be it nice barbecue areas and opening up the verandahs and so on. They need to make that hotel an enjoyable place. Poker machines are not everything and some communities do not particularly want to play them or do not have a poker machine mentality, and in that case poker machines are better off being where they can be used.

In terms of the Gaming Machine Benefit Fund, many organisations in my electorate have applied for some funds either through that fund or through the Jupiters Casino fund, and they have been most appreciative. It is generally modest, small amounts, and that is all that clubs need at times. Sometimes they just need an adjunct to their clubhouse, a little bit of equipment or some coaching arrangements. Sometimes they just need a computer and a printer to print their newsletter and do the business of the club. It has been greatly appreciated, because I think these clubs are pretty well all run by volunteers and sometimes it is just the step up that they need.

I want to comment on the benefits to hotels from poker machines. I think it was the Minister for Public Works who this week thanked those hotels that had more than a certain level of turnover—from memory, $100,000 per month—and therefore have to pay the pub tax. Those hotels have contributed to the bulk of the cost of Lang Park. Lang Park cost some $280-odd million. Of that $280-odd million, about $245 million was ostensibly funded by the pub tax charge on those particular hotels. They are the only ones making a contribution to the Major Sports Facilities Fund. It is not being contributed to by any other organisation or any other tax; it is coming from the hotels of Queensland, albeit the hotels that have the high turnover on their poker machines. But in many cases that reflects outstanding management and it reflects the understanding of those people in the hospitality industry. They have been able to make their enterprise work well and provide good service to people.

The other comment that I wanted to make concerns the commission on the sale of these authorities. This commission is extremely high. I do not know where anyone would pay 33 per cent anywhere for the sale of items. Those people who are selling them are obviously selling them because they are not doing well. They have paid all their lease costs and all their charges. The only reason they would be selling them is that they are not making money and their enterprise needs to sell them and put them somewhere where they will provide not only a better return to the lessee or the owner but also a better return to the government because the throughput or turnover through them would be larger than if they remained at the hotel where they were not profitable.

A commission of one-third is incredibly high. I do not know where anyone would ever pay a commission of that amount. It is a shame that that is happening because the government will be making money out of these machines when they go to another hotel where the turnover will be higher. A reasonable commission could be expected to cover the cost of the transactions and so forth, but certainly not 33 per cent. It is just incredibly high and I am highly critical of that.

I think this bill provides a reasonable solution to—

Mr Fouras: Two minutes, mate; I thought I would let you know. Don't waste any.

Mr HORAN: No, I will not. It is nice to have a cynical comment from the member for Ashgrove—a comment made while he is not in his correct seat, and he is the bloke who knows all the rules in this place!

Mr Fouras: I do.

Mr HORAN: It is a pity that the member was not here to listen to the member for Mansfield go round in circles. A bit of comment then would have been all right.

I think this is reasonable. It provides a solution to what has developed through the initial introduction of poker machines into the hotel industry. It will allow for machines which are not being utilised to be disposed of. I am critical of the commission rate.

The other thing I would like to hear from the minister is what will happen in a greenfield site. There is a cap. What will happen in a greenfield site if a new hotel starts up? How do they go about getting poker machines? They cannot wait for four, five, six or eight years to get the tender for the additional authorities that they need. They have to have that when they go to their bankers as part of the financing process to build their hotel in the first instance.

I would also like the minister to comment on a statement in the second reading speech about one authority being allocated for each gaming machine. He says that initially there will be one authority. I would like an explanation of that. Will there be more authorities per machine or is that a different scheme that he is looking at in the future? I would appreciate it if the minister could mention that in his reply.

Ms STONE (Springwood—ALP) (9.35 p.m.): It is with pleasure that I rise to speak to the Gaming Machine and Other Legislation Amendment Bill. Gaming machines were first introduced into Queensland in 1992. To someone like me who had a family who visited the Gold Coast frequently, gaming machines in 1992 were definitely not new to me. Many people, including my

own family, travelled to northern New South Wales and had a night out at a club and played the pokies.

Today we see legislation being brought in to adapt to the changes that have occurred since 1992 and to ensure that the integrity of the gambling industry is maintained. I believe that in Queensland we have achieved a balance between the profits from gambling activities and minimising the adverse social consequences that can be associated with gambling.

The government accepts that it has a role to play with individuals in the gambling industry community when it comes to responsible gambling. The Queensland government has never buried its head in the sand when it comes to accepting that problem gambling exists. In fact, it has led the way nationally by introducing the responsible gambling code of practice. The state government has also expanded services for problem gamblers.

Another strategy that has been important to achieving a good balance between profits and social responsibility is the statewide cap on the total number of gaming machines and the limits on the number of machines for a venue. This bill will implement a scheme for the reallocation of gaming machines within the statewide cap on hotels. In other words, there will be no net increases in the total number of gaming machines allowed to operate in hotels.

What this bill will allow is for hotels to acquire gaming machines through the closure of hotels within their region or when hotels within their region reduce the number of gaming machines. The scheme establishes three geographic regions. Hotels with gaming machines in my electorate will fall under the south-east region. Therefore, authorities will be tradeable only within this region.

I believe this is an important safeguard. If this safeguard were not there, we could easily see many gaming machines move into areas that would not be in the best interests of that community. A saturation of gaming machines could easily occur in the south-east or in a major metropolitan area if we did not have restrictions like the trade within regions only, and this could have serious consequences for other parts of the state. If we were to have a system that favoured only the cities, it could bring a downturn in the local economy for many towns. It is common knowledge that the gaming machines and other gambling activities create jobs and therefore support the local economy. Trading within the three regions is important to keeping these local jobs.

It is also important to note the restrictions on the number of authorities that sites may trade each year. Sites will be able to make only one sale in every 12-month period. This is another important safeguard in protecting the integrity of the gaming industry. The safeguard protects against speculative trading in authorities. It will also prevent licensees selling when prices are high with the idea of buying authorities when the market is low.

Another important factor in the bill is that the scheme recognises that a holder of a gaming machine licence is the person responsible for the conduct of machine gaming and is therefore the person responsible for decisions regarding the number of machines at the site. Under the new scheme, gaming machine licensees will need to register through the Queensland Office of Gaming Regulation. Registration will require the disclosure of whether a site operates under an agreement with a landlord. If this is the case, then a statement must be presented to state whether an agreement has been reached by the parties in relation to dealing with authorities.

The bill has provisions for transitional arrangements for a dispute resolution process if no agreement has been reached. It is a requirement that all disputes are first forwarded for a resolution via mediation. Section 416 provides that, where parties are still in dispute, either party can apply to the Commercial and Consumer Tribunal to have the matter resolved. If mediation has failed and no party has applied to the CCT, then the matter will be referred to the CCT. The CCT will have the power to make enforceable orders about disputes concerning the initial allocation of authorities.

It is without doubt that there will be parties unable to agree initially, and this bill provides a relatively low-cost alternative to pursuing the issue rather than going to court. In my electorate I have three hotels with gaming machines that offer jobs, career opportunities, social interaction, entertainment and great food for the community. Fitzy's Loganholme Tavern offers conference venues, fine dining and is also contributing to our local community in other ways. It is the major sponsor of the Fitzy's graffiti trailer. This trailer has been used in Logan East and Logan West to help beautify Logan City by the rapid removal of graffiti.

When members of the local community recently raised concerns regarding public drunkenness, management was keen to work with the community and police to resolve this issue.

I must thank Brian Fitzgibbon, Andrew Cox and Tina Browne for their support of the local community. I know they are looking forward to hosting cabinet there in July.

The Springwood Hotel is a place where community groups meet and hold functions. I know that the restaurant is frequented by many in the community. This hotel is also playing its role in assisting the local community not only through jobs but also through schools and sporting clubs by way of raffle prizes and alcohol requirements for functions. I thank Jeff Campbell for the positive role the hotel is playing within our community. The Springwood Hotel is part of the ALH Group. I would also like to thank Kalman Horvath, who recently moved to Townsville, for his community support and for the community support that ALH has provided.

In the middle of my electorate is the Chatswood Hills Tavern. Colin Crowe, the gaming licensee and licensee of the Moss Street International, is also committed to putting back into the community that supports him. Each month approximately $1,000 is given to local charities selected by patrons. I want to thank Colin and his patrons for their assistance to the community organisations in Springwood. Last week quite a few of the organisations in my electorate received cheques, and they have been phoning me to tell me the great news. I really must thank Colin and his daughter, Jenny, for contributing to the Springwood community.

The community gambling fund has contributed to many organisations in my electorate, and I do not have enough time here tonight to speak of the hundreds of thousands of dollars that have gone back into the community through the Community Investment Fund.

Eighty per cent of the Australian population have partaken in some form of gambling. Forty per cent of the population gamble regularly. This includes Lotto, Keno, gaming machines and other gambling activities. Of those figures, one per cent have a severe gambling problem. I believe that the Queensland government has the balance right. While the gambling industry provides jobs, opportunities for the local economy and entertainment, we also see responsible practices regarding the minimisation of social disadvantages for individuals and communities.

I congratulate the Deputy Premier on bringing this bill to the House. I am aware of the consultation that has taken place with key stakeholders, and I am also pleased with the opportunities given to people to participate in the process, and this included hotel representatives from my electorate. I would like to thank the departmental staff and ministerial staff. I would like to especially thank Shane Bevis, who took many calls from me and gave me assistance and provided me with information in response to the inquiries I had regarding this bill. I commend the bill to the House.

Ms MALE (Glass House—ALP) (9.42 p.m.): I rise in the support of the Gaming Machine and Other Legislation Amendment Bill. It is sensible and balanced legislation written after months of thorough consultation with key stakeholders. The bill recognises the rights of gaming machine licensees to carry out their business but also, through a system of tight regulation, ensures that the gaming machine industry is operated in an open and accountable manner.

Just like other members, I have lots of hotels and clubs in my electorate that return a lot to the community. Clubs such as the Maleny, Beerwah and Landsborough hotels certainly support the community by providing jobs and a safe place for entertainment. Of course, as in other electorates, they sponsor many of the different fundraising events in my electorate, and we all thank them for that.

Some may feel that the industry is overregulated but, when confronted with the social ills generated by people who are addicted to gambling, the state needs to keep a tight rein over this industry. The state government has opened a new support service which works with people in my electorate who are addicted to gambling and also with their families, because it is often families who bear the brunt of this addiction. There are a multitude of options open for those who wish to gamble on any given day, and the government has a moral and social obligation to ensure that the machines do not proliferate in any one community. It is also incumbent on us to ensure that help is there for those who spiral into the cycle of addiction and debt and seemingly cannot help themselves.

That is why it is particularly pleasing to see that the Queensland Gaming Commission will continue its public benefit test when considering fresh applications and continue to reject applications where the commission considers the density of machines in one area to be too high for the social situation of the area. I would also urge the commission to keep a close watch on the number of licences in the Caboolture area in line with this public benefit test. Caboolture is going ahead in leaps and bounds but, like many fast-growing areas, it is struggling with its own

socioeconomic problems. As we know, high growth does not equate to high income and many of Caboolture's families cannot afford to lose income through rash gambling choices.

The provisions in the bill which limit how many authorities and, hence, machines can be sold at one time and where are very sensible. These provisions, plus limiting the sale to once a year, preclude any manipulation of the industry through futures type trading. The process of public tender also limits the monopolisation of the industry and backroom deals.

The Treasurer, through this bill, has also kept the door open for further reform of the industry by enshrining a two-year review period and this, too, is a sensible measure which allows the government to keep a close eye on the operation of the industry. As the Treasurer said, Queensland has shown the rest of the states how to provide practical and responsible regulation of gambling. This legislation strengthens that claim. I commend the bill to the House.

Mr HOBBS (Warrego—NPA) (9.44 p.m.): I am pleased tonight to be able to speak to the Gaming Machine and Other Legislation Amendment Bill. This bill has been in the making for quite some time. As the Leader of the Liberal Party and deputy leader of the coalition mentioned, we are supporting the legislation. However, I can see problems with it, particularly in relation to the commission that the government will be receiving. Even though this may be collected down the track by regulation, it is still a serious concern. This was brought to my attention by a hotelier in my electorate who has a small hotel in a town that is pretty quiet. He wanted to sell three machines. He is looking at a 50 per cent commission on the price that he would get for those machines. That was really quite devastating for him. That is an issue that we have to look at.

We all agree that there has to be a cap, and the zoning system seems to be a fair way. The zones do not look too bad as they stand. It does stop that flow of machines from the country to the city or whatever, and it does allow some flexibility out there. I was a bit amused when I looked at the explanatory notes to see them talk about the 'small administration fee' from the taxes received from hotels. I can imagine how that small administration fee will turn into a big administration fee. That is my concern.

I think overall the scheme is fine. We know what the minister is trying to do and we support him on that. We ask him to see if there is some way we can do it much more cheaply and not have the huge commissions that are proposed that will take the money away from those small hoteliers who are trying to make a living in a fair and honest way.

Mr PURCELL (Bulimba—ALP) (9.47 p.m.): I rise to support the Gaming Machine and Other Legislation Amendment Bill 2003. This legislation is necessary to implement the scheme for the re-allocation of gaming machines within the statewide cap on hotels. Two years ago a statewide cap on the total number of gaming machines in hotels was introduced. Apart from a few sites to which very restricted transitional arrangements applied, it has not been possible for hotels to obtain more gaming machines. This legislation will address the following two issues: the proliferation of gaming machines in Queensland and the need for hoteliers to respond to the changes in demographic patterns in Queensland by allowing the removal of machines to areas of demand.

Part of the process of the statewide cap was that the scheme for reallocation of gaming machines within the cap would be developed in consultation with the hotel industry. This legislation is a result of that. The scheme will allow for the hotels to acquire gaming machines when other hotels in their region close or reduce their numbers of machines. It should be noted that the statewide cap on the number of gaming machines in hotels stands.

I will spell out some of the most important facts to note. The scheme recognises that the holder of a gaming machine licence—the licensee—is the person responsible for the conduct of the machine gaming and is therefore the person responsible for decisions regarding the number of machines at the site. The scheme is also designed to be an addition to, rather than an alteration of, the existing act. In reality it does not change the underlying requirement for licensees or applicants for licences to first obtain approval from the Queensland Gaming Commission. The scheme applies only to category 1 licensees. Category 1 licensees are defined in the act and relate primarily to hotels. The scheme itself involves the creation of authorities. Gaming machine licensees will be required to possess sufficient authorities in order to install and operate gaming machines. Initially, there will be one authority allocated by the Queensland Office of Gaming Regulation for each approved gaming machine attached to each existing machine licence and authorities will be shown on the gaming machine licence.

The scheme establishes three geographical regions: the south-east region covers from the New South Wales border to Noosa and west to outside Gatton; the coastal region includes the

Torres Strait to just north of Noosa to around the Great Dividing Range; and the western region is generally all of the area west of the range. Authorities will be tradeable, but trading will only be permitted within each region. This is intended to prevent the drift of machines from the country areas to the city. There will be government oversight of the sale process and sales will occur via tender. The scheme requires a commission to be paid to the government as part of the sale of each authority through the tender process. There will be restrictions on the number of authorities that sites may trade with each other and sites will be able to make only one sale in every 12-month period. This is essential to prevent speculative trading in authorities. Transitional arrangements will ensure that landlords and lessees under the scheme can speedily resolve disagreements over the initial allocation of authorities through a relatively low-cost, non-confrontational dispute resolution process.

No hotelier will be worse off under this scheme. In fact, many will be better off. I believe that we have achieved a balance which will enable the industry to reallocate gaming machines and continue to provide this service to the community within the government's objective of slowing the growth of gaming machines in Queensland. That is something that is welcomed by all people today.

In finishing, I am a great supporter of the Gambling Community Benefit Fund, which derives a lot of income from poker machines. In many instances small clubs and community organisations in my area benefit greatly from the Gambling Community Benefit Fund. Sometimes $2,000 or $3,000 or $5,000 is all they need to continue to do the good work that they do in the community. I support the bill.

Ms NOLAN (Ipswich—ALP) (9.51 p.m.): I rise to add my support to the Gaming Machine and Other Legislation Amendment Bill brought to the House by the Treasurer. The bill arises from the statewide cap on the total number of gaming machines in hotels that the Treasurer announced in May 2001. Since the date that cap was applied, it has been impossible for hotels to increase the number of gaming machines they have, except for the few who already had applications in the system.

While I have a background in gaming policy, I am not a fan of poker machines. When I go to the pubs and clubs that have pokies in any electorate, I have mixed feelings. During the day most of the people who are coming and going are retired people and I think it is great that they have quality facilities in which to meet. Maybe without machines they would be at home and socially isolated, but maybe without the machines they would be doing something more active together—talking to each other and not to a machine.

My natural opposition to gaming machines was really confirmed when the parliament sat in Townsville last year and members stayed at the Jupiters Casino. As we came and went from parliament I was disturbed to see the traffic of people, many of them looking pretty unhappy and certainly not in a position to throw their money away, streaming in and out of that casino. The growth of gaming machines in Queensland has been fuelled by what seems to be an almost insatiable public demand and by the ridiculously limited revenue raising opportunities the Constitution allows the states. While I am enough of a realist not to suggest that it would be a good idea to put thousands of people out of work by getting rid of Queensland's pokies or indeed getting rid of the enormously successful Gambling Community Benefit Fund, I do very much believe that we are doing the right thing by capping the total number in hotels.

While I have enormous regard for the member for Moggill, I do believe that the free market philosophy he injected into the gaming machine industry with his gaming white paper in 1995 or 1996 has harmed a lot of people. That white paper sought to diminish the legislative distinction between pubs and clubs and fuelled massive growth in gaming machines in pubs. Machines in pubs are more widely dispersed through the community. They are more aggressively marketed and as a result they tend to turn over more of people's money than those in clubs. They also do not have the positive social purpose of injecting money into the good causes that clubs support.

The growth of machines in pubs was making publicans a lot of money, but it was money that was often coming from people who could not afford it. The growth, had it been allowed to continue, would have become more and more socially destructive. The cap stopped that growth and the legislation we are debating tonight creates a sensible mechanism for the redistribution of machines from pub to pub within geographic boundaries. I commend the bill to the House.

Hon. T. M. MACKENROTH (Chatsworth—ALP) (Deputy Premier, Treasurer and Minister for Sport) (9.54 p.m.), in reply: I thank members for their support for the legislation before the parliament, that is, the Gaming Machine and Other Legislation Amendment Bill. The member for

Robina raised a number of questions. One of the questions was: what can the Community Investment Fund be used to fund? The answer to that is that section 322(5) of the Gaming Machine Act provides—

The Minister may cause amounts to be paid out of the community investment fund for—

(a) gambling research and dealing with social issues arising from gambling (including research into the effectiveness of responsible gambling initiatives); and

(b) the gambling community benefit fund; and

(c) programs of State-wide significance, including job creation, community renewal and crime prevention.

The above are the only purposes for which funds from the Community Investment Fund can be used. To give an example, last year I allocated some funds from there to enable not-for-profit organisations to access funds to install fire alarms in boarding houses. That is the sort of thing that can be done for community purposes.

The member asked if there are similar schemes in Australia and what their success or failure rate is. The only other scheme that operates is in New South Wales. It is not the same as this, so I think it would be difficult to compare it to our scheme, although we have looked at it. It operates for clubs and for hotels. It has operated for only 12 months, so it would be very difficult for us to get any real feedback on how it has worked.

The member also asked how many authorities are held by the government and when they will be sold. Within the cap that we have announced, there are currently approximately 230 authorities which are held by the government, and this would be subject to any further decrease of machines or surrenders of licences before the scheme starts. So if any further ones come in that would happen. They will be sold once the scheme starts operating and, when we see the actual demand, we will decide how quickly they would be sold. The member asked what the price would be. Well, how long is a piece of string? I do not know that. We will really need to wait until the scheme operates, because there is a tender system and people will be tendering for that.

The member for Maryborough raised an interesting point in relation to problem gamblers and quoted the Productivity Commission. As part of our Community Investment Fund—and I spoke before about research that we are able to do—the Office of Gaming Regulation undertook probably the most extensive amount of research ever undertaken into gambling in the household survey. Approximately 11,000 people, which is a very large sample, were questioned throughout the state in relation to gambling and habits in gambling. The one thing that came out of that was that 0.8 per cent of people were identified as problem gamblers—not the almost three per cent talked about by the Productivity Commission. That work is available for anyone to see on the web site. If anyone wants to look at it, the results are there for people to see.

The member for Toowoomba South raised the issue of greenfield sites. Greenfield sites will not receive any special treatment in relation to the way that the cap will work and the selling of authorities. They will need to receive approval to purchase authorities like any other hotel and will need to bid for them in a tender. One of the reasons I instituted a cap in relation to hotels was the large increase that was occurring in the number of gaming machines going into hotels as compared to clubs. Clubs were fairly stagnant and have remained fairly stagnant over the last two years. But in the period of time before we introduced the cap, which is now two years ago, there was a very large increase in machines going into hotels, as there was in the number of taverns starting up.

I believe a number of commercial operators were seeing that if they could find a site to start a small tavern they really were establishing what was becoming, I think, a convenience gambling area. The government had tried to make some changes in relation to stopping hotels in shopping centres and things like that and giving some direction in that regard to the Gaming Commission, but it really was not stopping the large increase in the numbers of new sites that were started. A lot of consideration has gone into the development of this scheme. That is why it took a year longer than we had intended. It has been developed with the Hotels Association and hoteliers right throughout the state. Also, from the government's perspective, we have had a lot of input into it. We have really tried to think how we can make it work so that it is fair but so that we will also not see a proliferation of new establishments. We also need to make sure that, in terms of the types of greenfield sites that I believe the member was talking about—that is, a large new estate or growing area where there is a need for a tavern or hotel—new residents are able to access gaming machines.

The member asked about one authority being issued initially for every poker machine and what that means. Will it mean that there will be more later? No, there will not. 'Initially' means that

initially one authority will be issued for every gaming machine which is within that cap. After that, they will buy the authority which will entitle them to a gaming machine. That does not mean that there will be more than one gaming machine for an authority at all. It just means that initially we would issue an authority for every gaming machine. So if a hotel has got 30 gaming machines, it will receive 30 authorities. To go to 35, it will need to buy five authorities and then it will be able to go to 35 or indeed to 40. But in the first instance it would need to get approval to do that.

The member also asked why the state government is collecting a commission on the sale of the authorities. The reallocation scheme is intended to enable hotels to respond to commercial demands. It is not meant as a get-rich-quick opportunity for people to sell their gaming machines to simply cash in. It is there to ensure that if they have gaming machines that are not profitable they are able to sell them. But they did not pay anything for them to start with. Therefore, I think if they are going to be able to make a profit out of that—

Mr Horan: They would lease them.

Mr MACKENROTH: No. They are not buying the machine; they are actually buying the right to hold the machine. The authority is only a piece of paper. They still have the machine. So if they buy an authority, they can then lease a machine or buy a machine that they can then run off that authority. The authority is the actual right to have that machine on premises and have it operating. That is what that is and what they are paying for. The government is going to take a commission out of that. I think it is perfectly reasonable to ask hoteliers to pay a one-third commission on this. The hoteliers who have helped us to develop this scheme are quite happy with that amount of commission. There has not been any opposition whatsoever from them in relation to the quantum of commission that we are going to charge.

I thank members for their support. It is necessary that we get this through the parliament prior to 30 June so that we can start the next stage. We would anticipate seeing the first sale of authorities early in the new calender year.

Motion agreed to.

Committee

Hon. T. M. MACKENROTH (Chatsworth—ALP) (Deputy Premier, Treasurer and Minister for Sport) in charge of the bill.

Clauses 1 to 20, as read, agreed to.

Clause 21—

Mr QUINN (10.05 p.m.): In relation to the sale of authorities, the Treasurer mentioned that New South Wales has a similar sort of scheme.

Mr Mackenroth: Has a scheme.

Mr QUINN: Does the New South Wales scheme charge a commission and, if so, what is it? Secondly, this commission has been set at 33.33 per cent and 50 per cent. How did the minister arrive at those two numbers?

Mr MACKENROTH: It does not involve a monetary commission. What it requires them to do is forfeit their authority to the state as part of the sale. It works out at a third. I think it is a scheme that we actually looked at whereby they would sell three machines, or three authorities, and give one to the state—

Mr Quinn: And take two.

Mr MACKENROTH: They could then sell two. I looked at that scheme. It means that if they sold three, they would give one to the state; if they sold five, they would give two. I thought that the best way to do it was simply to charge a commission and to make that commission one-third. If that is the quantum that we are looking at in terms of the number of authorities sold, we really should simply take that amount of commission. That is the way that we have done it.

Mr QUINN: I understand the reasoning for the one-third, but what about the figure of 50 per cent?

Mr MACKENROTH: Once again, it is similar to what operates in New South Wales in terms of the authorities. If they hand in all their authorities, 50 per cent is taken. We are endeavouring to ensure that somebody does not simply take the opportunity to move on and say, 'I will sell all of my authorities and then sell the hotel,' and the community loses the gaming machines for their convenience. We have tried to stop that from happening as much as we can. To do that we have

developed a scheme whereby the forfeiture by half commission makes it a disincentive to move on.

Mr QUINN: The Treasurer mentioned the fact that the hoteliers consulted are happy with the scheme and rates of commission. Is this the QHA or simply the larger hotels in the south-east corner? Are the smaller hotels in the country also happy with the rates of commission?

Mr MACKENROTH: We have consulted with the QHA, we have consulted through the QHA and we have consulted directly with hoteliers. The Office of Gaming Regulation has held meetings right around the state—in western Queensland and northern Queensland. Right around the state we have been holding meetings with hoteliers and explaining the scheme to them. They would rather pay no commission, as I am sure any businessman would. But they accept that a third commission is fair.

Mr QUINN: Is it the intention of the government to change the number of machines within the designated areas? There are three areas at present. I do not think that authorities will be surrendered in future, now that they have a dollar value attached to them. But in terms of the 230 that the government has, is the Treasurer intending to put all of those into one region or will he wait to see how it sorts itself out and then allocate accordingly?

Mr MACKENROTH: We have not decided where they would be sold. I think we need to wait until we get the applications to purchase authorities initially to find out who wants to sell authorities and to see where the demand is. Particularly for the first sale or the first couple of sales, if there was a demand to put authorities that we now hold into another region we would need to see where the demand is and put them there. I do not think that will create an imbalance. By developing the three regions we have tried to ensure that into the future we do not see, particularly from western Queensland, hoteliers simply selling out their authorities so that they can close down their hotels. We would then end up with all the gaming machines on the eastern seaboard, particularly in south-east Queensland, which I think will probably be where there will be a greater demand.

Clause 21, as read, agreed to.

Clauses 22 to 29, as read, agreed to.

Schedule, as read, agreed to.

Bill reported, without amendment.

Third Reading

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

ADJOURNMENT

Hon. A. M. BLIGH (South Brisbane—ALP) (Leader of the House) (10.11 p.m.): I move—

That the House do now adjourn.

Dairy Industry

Mr HOPPER (Darling Downs—NPA) (10.11 p.m.): Tonight I rise to speak on the plight of the dairy farmers who supply the Dairy Farmers Co-Op. As all members would be well aware, the Dairy Farmers Co-Op has recently announced that there will be a 3c per litre drop in the price of milk to producers who supply Dairy Farmers. This will no doubt put serious pressure on producers—and I mean serious pressure. In many cases this will be the straw that breaks the camel's back. If a producer is producing 1,000 litres a day, they will lose approximately $900 per month. If they are producing 3,000 litres per day, they will lose approximately $2,700 per month. This might not sound like much, but try and explain that to those who are struggling after years of horrific drought.

I challenge the suppliers of Dairy Farmers to ask why. They must ask what strategy the leaders of the co-op have to climb back out of the bind they now find themselves in. Unless they come up with something, a lot of farmers will go. They must challenge the board and senior management to rethink this decision. They must take a look at the balance of market power and work towards a fairer system for their producers. I know that they blame the dollar, but this must be taken into account. No doubt the rising dollar has an impact on exports and it is now more competitive.

The international cheese market has declined. The co-op is very active in this area. It has moved into cheese in recent years and has done a very fine job. If the co-op hedged towards upward currency movements, the impact of the rising dollar would be minimal.

One way of getting a better performance is to tie the salaries of the chairman, the board and senior management to the farm gate price on a performance based system. If they believe that they have to perform to create a sustainable payment system for their producers, let us see them tie their own pay packets to the farm gate price payment system. If the farmer is getting a good price then they will get a good price and there will not be a thing to worry about. If the farmer is doing it tough, they will do it tough. Let us get performance out of the fellows who run this company, instead of them taking the massive payments that they get. We saw Allan Tooth receive a $1 million payment last year. I asked a question about that of the Minister for Primary Industries, and didn't he talk about it!

This is a farmer-owned cooperative, and farmers are doing it tough. The National Party of Queensland has recently written to the Productivity Commission asking for an inquiry into the deregulation of the dairy industry in Queensland. Victoria thought it had it good, but it got hit with a drought for the first time in a long time and now it is reeling from the impact of the deregulation of the dairy industry. A lot of farmers are going to lose their homes, their farms and their families.

Time expired.

Holy Spirit Home

Ms BARRY (Aspley—ALP) (10.14 p.m.): Improving the health and quality of life of our older citizens is probably one of the most important goals that a society can have. It certainly has been an ever-present one for me. As a professional officer responsible for aged care in the Queensland Nurses Union for six years, I think I can spot a good nursing home when I see one.

Mr Lawlor: See if you can spot one for me.

Ms BARRY: The member for Southport might have trouble. Needless to say I have high expectations of aged care facilities, so members can imagine just how fortunate I feel that I have the privilege and the pleasure of having the Holy Spirit Home in Carseldine within the electorate of Aspley.

It was with much pleasure that I recently received an invitation to attend the 40th birthday celebrations of the home's establishment in Carseldine. The celebrations included the blessing and opening of the new foyer, the coffee shop, extensions to Helena Place, the administration block, and the new Saint Joseph's wing. The blessing was undertaken by His Grace the Most Reverend Bishop Brian Vincent Finnegan, the Auxiliary Bishop of Brisbane.

The Holy Spirit Sisters took up residence in March 1945 on a 22-acre property that was once the Raff property in Aspley, now Carseldine. These days, the Holy Spirit Home in Carseldine is a facility that includes a large nursing home, a modern hostel, serviced apartments, independent living units and a five-bed hospice—a unit that I am very proud of because it recently won a palliative care award for aged care in Queensland with respect to the high quality of care it provides.

The buildings and the facilities of the home are impressive, of course, but they pale in comparison to the professional and deeply committed philosophy of care that underpins the work undertaken at the home by the staff, the nurses, the volunteers and, of course, the Holy Spirit Sisters themselves. The compassionate and people-focused care that is provided in the home finds its origins in the history and determination of the sisters to focus on enhancing people's lives through respect, integrity, compassion, justice and innovation.

The history of the Holy Spirit Sisters began in 1889 in Holland. In 1943 they were prisoners of war in Papua New Guinea. Many of them lost their lives, with only 26 of the 81 sisters surviving. They made their way to Brisbane. Although they came to Carseldine by accident—it was certainly not planned—the people of Aspley have certainly been blessed by their arrival. This is a great aged care facility that brings a lot of comfort and care to the people of my electorate.

At the opening of the extensions and the 40th birthday celebrations, I was advised that a decision was made to have just friends at the celebration. I consider it a great honour to have been asked to be there. I say to Sister Patricia Naughton and all the sisters: thankyou very much for your vision and commitment. To Mr Shane Fracchia, Miss Pam Fielding and all the staff, volunteers and residents of the Holy Spirit Home, I say: thankyou for everything that you do and thankyou on behalf of the electorate of Aspley.

Rural Queensland

Ms LEE LONG (Tablelands—ONP) (10.17 p.m.): Queensland is suffering badly from the new world being forced upon it. The WTO, free trade, level playing field philosophy of the GATT, GATS and NCP so ardently embraced by both the National-Liberal coalition and their fellow travellers the ALP has crippled or destroyed many rural industries. Dairy, eggs, sugar, fishing, tobacco, timber, mining—

Mr Lawlor interjected.

Ms LEE LONG: It has not affected the member yet, but it will. The list goes on and on. And all the time rural Queensland is paying the price. Farms go. Small businesses shut down. Families move away. Sometimes they collapse under the unrelenting pressure. Country youth look at the future and see little, if any, choice and even less hope.

The only hint of a promise appears to be tourism. It is held up by many as the be all and end all of revitalising the bush. It is one of the arguments put out to support the kind of mindless environmental protectionism we have seen in things like the scrapping of the Shelburne mining leases, the attack on land clearing or the locking up of massive areas of the Great Barrier Reef Marine Park.

Yet what is the truth of this be-all-and-end-all industry? It may well be rich in promise, but what about delivery? In recent years tourism has suffered under a host of challenges about which it could do nothing. The introduction of the GST led to a slowdown in domestic holiday taking while Australian families assessed just what impact the new tax regime would have on their finances. Then there was September 11 and, shortly after, the collapse of Ansett. They were another two devastating blows, and I do not think that anyone can suggest that recovery from September 11 is yet complete.

Then there were the attacks on the Taliban and Afghanistan, the Bali bombing and the invasion of Iraq, and of course there is the latest crisis caused by SARS. All these events have affected the tourism industry. The international or export component of the tourism industry is also very vulnerable to the strength of the Australian dollar. I do not think tourism is able to answer all the needs of rural Queensland, especially when we can see how vulnerable it is to events that are impossible to predict.

Farmers can work towards making their properties more drought resistant. They can, and do, adapt their techniques to become more environmentally friendly. Let me be clear: I am not at all about attacking the tourism industry. It is a major employer and it is a good answer for some parts of Queensland. However, I do not believe it is a strong enough answer for all the issues now facing rural Queensland and Queensland as a whole.

We need to stop these constant assaults on primary production. We need to ensure that our rural areas have a solid base from which to capitalise on the opportunities presented by tourism. As an industry tourism is, if you like, jam—tasty but no good without the bread and butter of primary industry beneath it.

Sydney to Southport Cycle Ride

Ms KEECH (Albert—ALP) (10.20 p.m.): Whether it be sailing solo around the world, running from Sydney to Perth or climbing Mount Everest, Australians have always been fascinated by sports which take athletes to their physical and emotional limits. I rise this evening to inform honourable members of a recent sporting event which has captured the hearts and minds of Gold Coast residents. In March of this year, 85 cyclists left Sydney to ride the 950 kilometres up the Old Pacific Highway to arrive at Southport eight days later. Members may ask: have they not heard that there are easier ways to get between the two cities?

These 85 men and women took up the challenge offered by the Rotary Club of Engaldine to do what Australians proudly do best: help young people who are in trouble. For five years the club has been raising funds for young people by conducting the Sydney to Southport ride. The cycle ride, expertly organised by Rotary member Ken Robinson and ably assisted by other members, is a credit to their organisation and enthusiasm.

The $111,000 raised by the 85 cyclists will be donated to the very worthy cause of Father Chris Riley's Youth Off the Streets program. This program, established in 1991, works with chronically homeless and drug addicted young people. They run Sydney's only non-medicated detox centre especially designed for young people. In Queensland Father Riley runs Connie's Place in Greenbank. This is a medium- to long-term residential rehabilitation program for young

men aged 12 to 17. The program at Greenbank accommodates up to seven residents, and young people are asked to commit to a minimum nine-month program.

I am proud to inform members that three residents of the electorate of Albert took part in the ride. They are John Harburg, Malcolm Wuttke and Peter Keech— and, yes, he is related. Peter is my husband of 25 years, and the whole family is very proud of his fantastic achievement. They were financially supported by the Beenleigh Rotary Club, members of the Beenleigh Chamber of Commerce, as well as generous donations from a range of unions.

As well as the three Albert boys, Alan and Lisa Mackay-Sim, Michael Follett and his 12-year-old son, Grayson, and Reverend Glen Samuel all worked hard to raise funds and get themselves fit enough to enjoy every one of the 950 kilometres. All 85 cyclists can be proud of their achievements by joining in the fifth cycle ride and raising $111,000. They are rewarded in knowing that their efforts will really make a difference to the lives of young people who are among the most needy in our community.

Infrastructure Projects, Regional Areas

Mr COPELAND (Cunningham—NPA) (10.23 p.m.): Major inland infrastructure will be vital for the future of rural and regional Australia. Two infrastructure projects that stand to deliver massive benefits to rural and regional Queensland are the Australian Inland Rail Expressway and the Vision 2000 renewed water pipeline. These visionary projects currently lie in the balance and to proceed will need an unprecedented level of intergovernmental cooperation and political will. I know that the federal National-Liberal government strongly supports these projects, but the reality of our federal structure dictates that there must be equal backing at a state level for national projects to progress. Unfortunately, I fear that the political will from the state Labor governments is poorly lacking over these projects, and in real terms they are doing nowhere near enough to facilitate their development.

The Melbourne to Darwin Australian Inland Rail Expressway is anticipated to return $8 for every $1 spent on its development. The project will provide significant incentive for existing rural and regional industries to expand, as well as the establishment and relocation of new industries to these areas. However, this project has been brought to a standstill through the continued refusal of state Labor governments to cooperate openly with the federal government. The major stalling point is the New South Wales government's continual refusal to agree with the Australian Rail Track Corporation's business case for the lease of the New South Wales interstate rail system. The lease proposal offers a projected investment of more than $870 million for rail infrastructure over five years and would finally bring the majority of the national rail network under one operational and management framework.

The Queensland government should be working overtime to persuade its Labor mates in New South Wales to strike an agreement over the rail leases because the progress of this project depends on it. The release of the draft terms of reference for the environmental impact statement for the Goondiwindi to Toowoomba stage will not be released until this track access is agreed upon. Suddenly we have a situation where progress on the development backs up, causing investor and stakeholder anger and threatening the project's future.

The Vision 2000 project to pump 130,000 megalitres of renewed water per year from Brisbane to the Darling Downs is another visionary piece of engineering. The benefits of this project are incredibly wide ranging, from the future health and sustainability of Moreton Bay and the ground water systems in the Murray-Darling catchment to saving the future of literally hundreds of primary producers, their communities and related industries. This benefit is not fanciful. It has been confirmed in many studies, including one compiled by the CSIRO last year.

This project depends on the cooperation of several state government departments to deliver services and information to effectively compile feasibility reports. They have been somewhat reticent in their support in dealings with the federal government and this has held back the progress of this project. The state government needs to prove its support for these projects through real action and active support, as do the relevant local governments. These projects will revolutionise rural and regional Australia, and we cannot afford to sit idle and let the opportunity to slip.

Silver Bridle Action Group; Peer Leadership Program

Mr LAWLOR (Southport—ALP) (10.26 p.m.): I rise to speak tonight about a Peer Leadership Program run by the Silver Bridle Action Group and funded—giving credit where it is due—by the Commonwealth department of families to the extent of $26,000. This organisation has Mr Athar Shah as its president and is strongly supported by Bob La Castra, the local councillor. Christine Kingi was employed as coordinator for 20 hours weekly during the 16-week tenure of this course. Specialised Training Services of Nerang was contracted to deliver the Certificate II in business administration. Barbara Robinson was the teacher employed for training purposes.

The course had a threefold aim. The first was the development of leadership skills in young people and those involved in local youth projects, including the After School/Vacation Care Program funded for 15 hours weekly by the state Department of Families. Another aim was to gain employment skills, including resume development, job interview techniques, confidence and self-esteem building modules, dressing appropriately and being properly groomed. The final aim was to complete a Certificate II in business administration.

Silver Bridle is a small village-type community comprised of over 250 housing commission homes. After advertising in the local *Sun* community newspaper, delivering over 500 fliers locally and word of mouth, they were approached by a group of single mums who had, for various reasons, little or no secondary or tertiary training. This showed a serious gap in service provision that will need to be addressed in the future, as there are many others in the area who seek work but lack the confidence or training to apply for employment.

Graduates of the course now feel confident and able to apply for work, with many securing employment during or after the course, but there are still a large number of parents and young people of both genders who still seek training, education and employment. The graduates are now seeking to complete their Business Administration Certificates III and IV.

Some of the achievements include 10 of the 15 students gaining their Certificate II in business administration. Five students who vacated the course before completing their business certificate gained either full- or part-time work, including one young person who fulfilled a lifelong dream of being offered a job as a tennis coach in Western Australia. A youth worker counsellor, Gabrielle Bernardi, was employed for the After School/Vacation Care Program from the pool of graduates who revealed many hidden skills and assets.

Another graduate, Terri McGinnis, was also added to the community centre relief roster. The community development project planned for the centre involved the development of a food aid project. This was made up to deliver food parcels to disadvantaged families. A homework club was developed utilising the skills of a fully qualified secondary, primary and ESL teacher who contributes her skills two days a week in addition to free private tuition. Internet and computer access is now available for young people for their school projects and homework. A large volume of parents are volunteering at the after-school community program.

I congratulate everyone involved in the Silver Bridle Action Group and all graduates of the Peer Leadership Program.

Department of Natural Resources and Mines

Mr HORAN (Toowoomba South—NPA) (10.30 p.m.): The Department of Natural Resources and Mines in Toowoomba seems hell-bent on moving services from the CBD out to the north-western extremity of the city, regardless of the fact that it is going to bring about a major reduction in services to the people who need them. The department is doing this through a process of collocation. It wants to get particular departments, as the different sections have been amalgamated over the years, out to where they have buildings at Tor Street.

The real issue is the reduction of services to the customers and the clients. They are paying about $170,000 per year for an almost empty building now in Clopton Street in the CBD of Toowoomba, and the services will not remain at Clopton Street, apart from a very small residue of a titling service. Three people will be left there to deal with titling lodgments after there have been a number of complaints by solicitors and staff in the CBD who need to access these title searches. So clients who want to access surveying services, survey searches and so forth will not be able to do that.

The clients are citizens, lessees, solicitors, surveyors, rural organisations, banks, government agencies, real estate valuers, ratepayers, local people who will walk in off the street, local institutions, educational institutions and so forth. The legal fraternity in Toowoomba—I have raised

this matter before—are reasonably happy because three people will be kept there for the lodgment of titles but there will be a reduction in service because Toowoomba is one of the biggest regional valuation centres.

Objection processes, requests for meetings with valuers and so forth will not be able to take place in the CBD of the city. Most of the client base is a walk-in base. They need to come into town and undertake business in the CBD. About 76 per cent of the clients who need to access these services are walk-ins. They come in to make counter inquiries, titling, state lands and road reserves inquiries or access cartographer services, surveying, valuing and value administration.

There has been no liaison with customers and clients. This process has gone ahead without regard for proper consultation. Money has been provided by the executive management group for the shift. Otherwise the DNRM is pretty well broke. It is wasting $170,000 a year, which is the cost of this building in Toowoomba. It has spent some $400,000 on repairs and renovation to the building anyway, and it is now spending another $30,000 to put a second titling receival station at Tor Street. It is a waste of money and it is a waste of real customer service to the people who need it in the CBD of the city.

Gymnasium, Sumner Park

Mrs ATTWOOD (Mount Ommaney—ALP) (10.33 p.m.): As a young girl, local identity Jenny Whitworth competed in artistic gymnastics at the Sutherland PCYC in Sydney. During her training schedules she dreamed of having her own gym club and owning her own gymnasium. Twenty-nine years on, her dreams have come true. Jenny and her husband, Andy, signed a contract for the construction of their gymnasium in Sumner Park.

On Monday, 13 January 2003 the first sod was turned in construction of their Olympic standard training centre for all gym sports in the western suburbs of Brisbane. Jenny Whitworth's involvement in the sport of gymnastics goes back almost three decades. At the age of 16 years she formed the L'Elfin School of Gymnastics. The club began in the community hall at Loftus, New South Wales, and soon expanded throughout the Sutherland shire to become one of the largest gym clubs in Australia, with over 250 students. The club grew in stature and in 1986 was named New South Wales club of the year and Jenny was named artistic coach of the year by the New South Wales Gymnastic Association.

In 1987 the Australian Gymnastic Federation endorsed a squad of 35 L'Elfin gymnasts aged between seven and 17 years to represent Australia at the World Gymnaestrada in Denmark. It was the first time an Australian team had performed at the largest single gathering of gymnasts in the world. Jenny and her husband, Andy, were to become team coach and tour managers. Along with these titles came the need to raise funds to get the team to Denmark. The teams went on to represent Australia with success at the 8th World Gymnaestrada.

Their first child, Kyle, was born in 1988 and the additional workload of looking after a young baby did not stop the new mum from nurturing state and national champions in artistic and rhythmic gymnastics throughout that year. At the end of 1990 the family made a career change and moved to Queensland to establish a new life, without gymnastics. The family settled at Camira in the western suburbs. It was not long before the Queensland gymnasts were in search of her talents, and she began coaching part time in 1991 for St Peter's Lutheran College, Indooroopilly, to assist with their school program.

Jenny and Andy realised the club could not expand any further without its own facility—it employs over 30 coaches to cater for the needs of more than 400 gymnasts. The Splitz Club has produced state and national champions and an international representative at the Rhythmic World Group Championships. Jenny was awarded the Australian Sports Medal in 2000 for her dedication to the sport of gymnastics. It was time to move on.

For Jenny, it all began with a dream so long ago. Her dream has come true. On 24 May this year I had the honour of joining Jenny and Andy Whitworth, local friends and supporters, parents and students, and special guest Queensland Olympian Lisa Skinner at the official opening of their gymnasium in Sumner Park in the western suburbs of Brisbane.

Making a Difference Program

Miss ELISA ROBERTS (Gympie—Ind) (10.36 p.m.): I would like to take the opportunity this evening to bring to the attention of the House the work of an exceptional group of people, those who make up the Making a Difference program within the Cooloola shire. The Making a

Difference—or MAD—program, which has been funded by the Commonwealth government for the past 12 months, was designed to assist the community in developing strategies that will effectively assist in preventing illicit drug usage and in reducing the harm which is associated with the drug problem.

The program has also worked to foster partnerships between all levels of government and the wider community in an attempt to provide a more holistic approach to the issue of drugs in the local area. Whilst I am extremely proud of our local police for successfully carrying out 23 major drug operations over the last eight months, the discovery and seizure of illegal substances are only part of the solution to the growing drug problems within our communities.

Even with $50 million worth of drugs taken off the market, the last few months have seen no significant change in the supply and demand for drugs. Whilst the police are successfully doing their job in fighting the battle of drugs, they cannot win the battle on their own. There must be support mechanisms such as the MAD program in place so that every aspect of drug culture is addressed.

The only truly successful way of eradicating the majority of drugs is to decrease the actual demand for it. But in order to achieve this we need to understand the who, the how and the why of drug abuse and the information regarding specific types of drugs and their effects. Over the last year the MAD program workers have gathered a comprehensive survey which has managed to achieve this, and the group is now ready to act upon the information obtained by setting up more education, harm reduction, prevention and treatment sites and services.

According to the coordinator of the MAD project, Mari Toner, she is often unable to refer people with drug use problems to treatment facilities either because they do not exist in the area or those which do have excessively long waiting lists. Many individuals and their families are not able to gain access to appropriate treatment—counselling, rehabilitation and diversion programs—away from the criminal justice system.

Ms Toner has described the work she has done over the last 12 months as 'lifting the lid on drug taking in the Cooloola region, looking in and seeing the huge sore of how bad it is and then having had to just put a bandaid over it to cover it'. We should all encourage and support proactive groups such as those associated with the MAD program, because without them the number of families and individuals who are suffering as a result of drugs will continue to increase.

Unfortunately, particularly for rural areas, there has historically been less available information and services, which means parents, for example, have no idea where they can turn, who they should talk to, where they can go and what options are available. To have a family member suffer from an addiction can be a frightening, isolating and sometimes shameful experience which can tear even the strongest of families apart. This is where projects like MAD have been able to have a positive effect on many people's lives by letting them know that they are not alone.

I support and admire the MAD workers, particularly Mari, who has taken on a huge challenge on behalf of the Cooloola community, for the essential service she provides. For this marvellous service to cease due to lack of continued government support would be a genuine tragedy for the people whose lives she has touched and for those she is yet to assist. I implore all levels of government to recognise the value of drug programs such as the MAD program and provide the assistance necessary to ensure that they can continue so that we may find the answers to why our young are turning to drugs and hopefully begin to reverse this destructive trend.

Unit Development, Bargara and Elliott Heads

Mr STRONG (Burnett—ALP) (10.39 p.m.): I would like to take the opportunity tonight to talk about a situation that has arisen in my electorate over the last few years. It came to a head with a situation of what is called a bower's reserve, which is about seven perches of DNR land. It is an end-of-the-road reserve and it is right on the coast. There is an application at hand at the moment from a developer to develop this land into some units.

The problem is that it is right across the road from a retirement village of some 400 or 500 residents. It is a small parcel of land that has terrific views up and down the coast. The residents of this retirement village actually use it quite regularly. This is an example of what has been happening at Bargara over the last few years in terms of the way that development has been booming throughout the area. Development along the coast has a high profile and has a high marketable value as well. So there is a priority for developers to scoop up this coastal land. But

that should be weighed up against the wishes of the long-term residents who are seeking to maintain their lifestyle.

There is a similar situation at Elliott Heads, where there is about 1.5 kilometres of road heading north out of Elliott Heads and there is 60 metres of parkland on one side of the road with development on the other. It is a tremendous area. It is well used by people from not only the surrounding community but also Bundaberg. It is a relaxed atmosphere. Developers are pushing hard on the council to develop these properties. It is happening not just at Elliott Heads and Bargara; every parcel of land along the coast seems to be taking a priority, as I mentioned earlier.

The council has done well recently with restricting development, at least at the bower's reserve, and coming to some sort of agreement with the developers in other areas. I hope that by making this public they can hold their reserve and continue to make available these little parcels of land for community use rather than putting profits in the pockets of developers.

Motion agreed to.

The House adjourned at 10.42 p.m.