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THURSDAY, 21 MAY 2009

The Legislative Assembly met at 9.30 am.

Mr Speaker (Hon. John Mickel, Logan) read prayers and took the chair.

SPEAKER'S STATEMENT

South-East Queensland Floods

Mr SPEAKER: Honourable members, I am sure I speak for the whole House when I say our thoughts and prayers go to those who have been impacted by the severe flooding that we have had over the last 24 hours.

MOTION

Order of Business

Ms SPENCE (Sunnybank—ALP) (Leader of the House) (9.31 am), by leave, without notice: I move—

That, notwithstanding anything contained in Standing and Sessional Orders, for this day's sittings, the Order of Business be altered as follows—

- (1) 9.30am—10.30am, Government Business in lieu of business normally scheduled at this time;
- (2) 10.30am—11.30am, Business usually scheduled for 9.30am—10.30am in lieu of Question Time; and
- (3) 11.30am—12.30pm, Question Time in lieu of Government Business.

Question put—That the motion be agreed to.

Motion agreed to.

TELECOMMUNICATIONS INTERCEPTION BILL

Second Reading

Resumed from 20 May (see p. 445), on motion of Ms Bligh—

That the bill be now read a second time.

Ms MALE (Pine Rivers—ALP) (9.32 am): I rise this morning to make a contribution to the debate on the Telecommunications Interception Bill 2009. This bill delivers on the Bligh Labor government's Toward Q2 objectives of delivering safer communities. By allowing telephone-tapping powers to the Queensland Police Service and the Crime and Misconduct Commission, we are giving them the tools they need to fight crime. Importantly, we are ensuring that there is a safeguard through the provision of a role for Queensland's Public Interest Monitor, the PIM, prior to, and at hearings of, applications for interception warrants. Because these are highly invasive into people's privacy, this has been an important safeguard. It will operate in the same way as when a general listening device is requested to be put into a potential criminal's house.

As we all know, telecommunications interception is a highly effective way to investigate serious and organised criminal activity. It enables law enforcement agencies to gather information which can help crack down on organised criminal activity such as what we see with outlaw motorcycle gangs, drug rings and the like.

I am satisfied by the fact that the bill sets out obligations that must be met by the QPS and CMC to keep comprehensive documents relating to interception warrants, make records of each interception and the use made of intercepted information, and report such information to the state minister in relation to each warrant. This annual reporting requirement by the QPS and CMC to the state minister and then to the federal Attorney-General means there are further checks and balances in place to ensure the probity of this form of crime fighting.

I am pleased with the further safeguard of the Public Interest Monitor being part of the front-end accountability mechanism for interception warrants. As we know, the Public Interest Monitor is unique to Queensland law enforcement legislation. The Public Interest Monitor is an independent statutory office-holder who is accountable to the relevant minister of parliament rather than the Queensland Police Service. By this front-end involvement of the PIM, we are ensuring that the public interest is satisfied as

the PIM is consulted before, and is present at, hearings of applications brought by Queensland law enforcement authorities. It already operates for surveillance powers and covert search powers, as well as terrorism related control orders and preventative detention orders.

It has been recognised by other speakers in this debate that a conservative-led Queensland government introduced the Public Interest Monitor as protection when police or law enforcement agencies apply for a warrant to install a listening device or a tracking device. I have always supported this. The need for the PIM is based on the fact that the application is heard *ex parte*, meaning the accused is not there. The PIM is therefore the mechanism by which the accused is represented.

In Queensland, the conservatives in recent years introduced private members' bills on telephone interception that did not include the PIM. Why didn't they want the PIM at that time? And to extend that further, why didn't the conservatives bring in a bill to remove the PIM from the other legislation? Despite all the harping from the member for Southern Downs and other copycat members, I believe their private members' bills were just cheap political stunts. Either they knew how important the Public Interest Monitor was and were fudging it or they have previously just paid lip-service to caring about the rights of members of our community to have surety and confidence in the practical application of intrusive surveillance methods. I think it is the latter.

Labor has demanded that the PIM be an integral part of the protection to minimise the risk that telephone interceptions be used in an inappropriate manner, and we are delivering for the people of Queensland. The role of the PIM is not permitted under current enabling federal legislation. Queensland approached John Howard to change the federal laws to allow the Public Interest Monitor, and John Howard consistently refused to do so. Following the election of the Rudd government, Anna Bligh commenced discussions in relation to changes to the federal enabling legislation. Prime Minister Rudd has shown leadership by agreeing to make those changes and we are introducing this legislation so as to be ready to give our law enforcement agencies a new tool in their fight against organised crime and corruption.

As I said previously, I support this crime-fighting initiative of allowing telephone intercept powers with the protection of the Public Interest Monitor as part of the process. I would also like to place on record the work that was done by the previous member for Redlands, John English, who has always advocated for the extension of police powers. I know he will be pleased to see this legislation finally enacted so that law enforcement officers can do their jobs more effectively. I commend the bill to the House.

Mr DOWLING (Redlands—LNP) (9.37 am): Today I rise to speak in support of the Telecommunications Interception Bill 2009. While I am pleased to have the opportunity to speak on such an important bill, I am also surprised—surprised that such legislation is not already in place. After all, this is or was the Smart State, if we are to believe the numberplates. This will see the Queensland police force and the CMC finally have the same interception powers as the rest of the country. Queensland is leading from behind. But today is about supporting this bill and the Queensland Police Service and the CMC.

In my previous role as a councillor I had many opportunities to meet with members of the Queensland Police Service and on occasion hear firsthand the challenges they have in bringing criminals to justice and gathering intelligence, or intel as they refer to it. This bill will provide them with yet another investigative tool that they need to be a part of a modern police force in a modern criminal environment. I use the term 'police force' very specifically because it has been for a long time my belief that our police men and women actually enforce law and maintain good order in our community, but I digress. The evidence, or the intel, gathered using phone-tap or intercept technology is compelling and ensures convictions in most cases.

This bill will bring our fine men and women in blue into this century, and not before time. They have wanted this interception legislation to assist them in their day-to-day investigative work in catching bad guys. This will aid the police and the CMC in gathering intel to help curb the ever-escalating drug trade—the drugs that are destroying our community, ruining families and contributing to so many other crimes such as the break and enters, the hold-ups, the muggings, the bashings and the sex offences. Some of these crimes are committed to fund their habit and buy their next hit or their next fix, and some are committed because they are just high and out of control. We heard so much about that in yesterday's 5.30 debate.

Drugs are and will continue to be the biggest challenge in our society. We must do all in our power to stamp them out, and this Telecommunications Interception Bill 2009 will begin to address the gap in police powers. The bill is long overdue. The bill has the capacity to make inroads into all forms of organised crime—fraud, weapons and trafficking. The opportunities are almost limitless.

Law enforcement agencies not only around Australia but around the world have had similar powers to assist them in crime detection and prevention for decades, with tremendous results. At present, Queensland is the only jurisdiction not to have such legislation, the absence of which means that the Queensland Police Service and the CMC cannot be declared to be interception agencies, as

only an interception agency can obtain the interception warrants under the T(I&A) Act, or Telecommunications (Interception and Access) Act. Neither the Queensland Police Service nor the CMC can obtain those warrants to authorise the interception to assist them in their investigation of serious offences within Queensland.

The CMC, the Queensland Police Service and the Queensland opposition—the LNP—have called for telecommunications interception laws to be enacted in Queensland, and today we have it. It is happening. We are giving the police the tools they need to protect us—the tools they need to keep up with their counterparts in Australia and their counterparts around the world and to keep up with the drug dealers and organised crime syndicates.

The reason I support this bill is to support the police who work in my community with my constituents—officers like Mike and Brad, who each work in one-man stations, one on Russell Island and one on Macleay Island. They are doing a great job in isolation on the southern Moreton Bay islands. This bill will go a long way towards preventative measures to restrict, limit and reduce drugs and drug related crimes prevalent in those communities and others right across Queensland. Their work is very much appreciated by the island communities they serve. This bill will also support officers across the state, including in my own electorate the stations of Redland Bay and Cleveland, which have been asking for this essential, modern crime-fighting tool to add to their arsenal.

The CMC has also been asking for this vital additional investigative tool to aid it in its work. This bill will see more proactive policing and investigative work. It will bring our investigative agencies out of the Stone Age and into the high-tech modern world where criminals operate. We will be taking the handcuffs off our Police Service. We are bombarded by TV police and crime dramas where the crime is solved in almost an hour almost every time. This does not happen in the real world. In the real world our police do an outstanding job that takes detective work, dedication, commitment and perseverance. This bill will be the equivalent of moving our Police Service from *Heartbeat* to *The Bill* or from *Matlock Police* to *City Homicide*. This fight against crime will be evened up in favour of the good guys, and I look forward to supporting the Telecommunications Interception Bill 2009.

Mr MESSENGER (Burnett—LNP) (9.42 am): The Telecommunications Interception Bill 2009 is legislation which the LNP will support, as has been indicated by our shadow minister, and we applaud this. However, the timing of the introduction of this legislation is not something that we or the rest of the Queensland community—indeed, our law enforcement officers—appreciate. Who would have thought it would take an allegedly Smart State, as the new member for Redlands indicated, well into the 21st century to put in place the technology and legislative powers which the overwhelming majority has been calling for? In fact, apart from probably the Police Commissioner, just about every other police officer and CMC officer has been calling for these powers for at least a decade.

The way this government has treated its police officers on this matter is typical of the way that it has treated other staffing and resourcing issues. There is a *modus operandi* regarding the lack of funding for police helicopters, the Bomb Squad, the underresourcing, the SERT team, and the delay in providing tasers. The way that this legislation has been delayed in its presentation to this place is exactly the same way that those important resourcing issues have been delayed within the Queensland Police Service.

This legislation deals with a number of very important subjects—the legislative powers of the Queensland Police Service, the CMC, serious and organised criminal activity, and the effects serious and organised criminal activity have had on Queensland families. This legislation will also have important impacts on police officers in the Burnett and on the people of the Burnett. Police officers stretching from South Kolan, Rosedale, Miriam Vale and Bargara will be directly affected by this legislation.

One of the reasons I mention this is that we have our fair share of organised criminal activity within the Burnett. It is something that has appeared over the last decade to two decades, and it is in the form of outlaw motorcycle gangs that have come into our areas. Their normal *modus operandi* is that they come in on their bikes, they go to their local motorcycle enthusiast clubhouse, they normally shut them down, they might break a few arms, then they will go to the local tattoo parlour, they will take that over, and then they begin their manufacture and distribution of illicit drugs. It is a pattern that has been repeated in community after community in Queensland. There is no doubt that Queensland is the capital of organised crime—absolutely no doubt.

Government members: Oh!

Mr MESSENGER: I am surprised that members opposite would let out huge sighs of 'Oh!' On Thursday, 7 June 2007 at 5.53 pm there was a news report on 612 ABC Brisbane which dealt with Queensland phone-tapping powers. The newsreader said—

A federal parliamentary committee has heard the State Government's failure to give police phone tapping powers has made Queensland a haven for criminals.

That was evidence given to a federal parliamentary committee. The reporter, Nicole Butler, said—

A joint committee on the Australian Crime Commission met in Brisbane today to discuss the impact of serious and organised crime. Queensland is the only state where police don't have phone tapping powers, and Detective Chief Superintendent Ross Barnett says it's a key weapon in fighting crime.

Ross Barnett was quoted as saying—

There's no doubt that if the QPS had this legislation, we would have been more effective.

Veteran investigative journalist Bob Bottom said—

The Mr Bigs of crime are flocking to Queensland.

It is worth repeating what Bob Bottom says—

The Mr Bigs of crime are flocking to Queensland.

Mr Bottom said—

Major criminals know they can all holiday or operate in Queensland and have less chance of being detected.

The Crime and Misconduct Commission agrees that telephone interception powers are a matter of priority and has called on the government to quickly address the matter. The Australian Crime Commission, the ACC, put out a report on 26 September 2007. In its executive summary the highlight says—

A profit motive is at the heart of serious and organised crime. Organised crime groups usually trade in commodities that provide maximum profit while posing the lowest risk of detection and prosecution.

Might I add that there is another definite link within the organised crime system. It can only survive with political protection. That is one of the other important things that we must remember. The ACC report continues—

Within Australia, outlaw motorcycle gangs continue to dominate serious and organised crime, particularly in the area of illegal drug manufacture and distribution. While illicit drugs continue to be the major organised crime activity, the inquiry found that high-tech crime is an area of opportunity for organised crime groups to pursue new types of crime.

The evidence provided a sense of the potentially vast scope of high-tech crime which included electronic piracy, counterfeiting, forgery, credit card fraud, child pornography, electronic funds transfer, money laundering and denial of service attacks. The committee found that organised crime imposes vast costs on all sectors of Australian society and that these costs will continue to escalate. One only has to wonder about the costs that have been imposed on our economy, on our state because of the inaction of this government over a decade. How much money could we have saved in our community, how many jobs could we have saved as a community if we had been serious on organised crime and provided the crime-fighting agencies with the tools that they needed? The committee then went on to say in its report—

However, the committee identified particular areas of concern in the conduct of contempt proceedings arising from ACC examination and Queensland's lack of telephone interception powers.

In this federal report Queensland is singled out, once again proving that Queensland dragged the chain. We have to ask why. I will deal with the argument about the PIM a little bit later on. Recommendation 4 of the 22 recommendations handed down in this report states—

The committee recommends that the Commonwealth and Queensland governments collaborate to expedite the granting of telecommunications interception powers to the Queensland Police Service and the Queensland Crime and Misconduct Commission.

The Australian Crime Commission also noted that the fundamental characteristics of serious and organised crime are that it involves substantial planning and organisation, the use of sophisticated methods and techniques and is primarily motivated by financial gain. Mr Frank Costigan QC appearing in a private capacity noted that the major objective of organised crime in the widest possible definition is to acquire cash and hide it from the authorities. This assessment was endorsed by Assistant Commissioner Tony Harrison from the Crime Service, South Australia Police. He noted that for organised crime it is—

... a matter of taking whatever opportunity presents itself at any given time. There do not seem to be the loyalties within any particular industry area or in relation to commodity.

During the debate on this bill I have heard the outbreak of political backslapping by those on the other side. We have heard how good it is for introducing this bill. As I said at the beginning of my speech, I will be supporting this bill, but forgive me if I refrain from the backslapping and the singing of praises of the Queensland Labor Party.

Instead, I will be asking these questions. Since telephone interception powers were first recommended by the Queensland Police Service and the then Queensland Crime Commission in June 1999 in Project KRYSTAL—as mentioned by the member for Southern Downs—by a joint report into organised crime and given the CMC has continued to call for the powers, how many Queensland children have been killed by drugs made by organised criminals who could have been stopped if this legislation had been introduced 10 years ago when it was first recommended? How many Queensland children have been harmed by illicit drugs, pills or manufactured chemicals? These chemicals can cause instant psychosis and instant addiction. Organised criminals have been treated with kid gloves by

this Labor government. How many Queensland families have had to suffer the out of control social spiral into financial ruin, trouble with police, lies, thefts, self-harm, mental illness because of an addiction to an illicit drug manufactured and supplied by organised criminals?

I vividly remember talking with desperate parents who told me that they got their first decent night sleep after they got the phone call to say that their 17-year-old was locked up in jail. They then knew that they would not get the phone call to say that their son was found dead in a gutter due to a drug overdose.

Yesterday I received email correspondence from a desperate mum who writes—I have de-identified the documentation—

XXXX (My son) has always been an angry boy about his father, and in 2005 was diagnosed with dyslexia. He is very depressed at the moment, and is on anti-depressants under the guidance of a Dr xxxx ...

XXXX is not a vindictive child and has never deliberately hurt anyone, but he is easily lead, and tries to fit into 'the In Group' which isn't always the best group. He is skipping school and spending days with older children. He has started smoking cigarettes, and trying alcohol and last Tuesday was taken to Accident and Emergency with a drug overdose.

He was given an Ecstasy tablet from an older 21 year old telling him that it will fix his depression and make him feel good. Being 13 and vulnerable with depression he took it, to fit in and thought it would help. XXXX nearly lost his life and was a very sick boy.

I have been to the police and given them all the information I can, and XXXX has co operated, but feels in danger that these kids might retaliate.

This is just one example of a family affected by the drugs which are commonly made and distributed by organised criminals. These are the stakes that we bring to this place. There are hundreds and thousands of Queensland families that have been unnecessarily harmed by organised crime and their drugs because this legislation was not introduced into this chamber earlier.

The only reason for the delay in the introduction of the legislation that we have been given by those opposite is the issue surrounding the PIM—the Labor Public Interest Monitor. The Labor PIM is the watchdog when it comes to making sure that the police do not transgress the civil liberties of the people whose phones they are tapping. The Labor PIM, I am led to believe, will also allow politicians to know which phones are being tapped by the police. Maybe the new Attorney-General could clarify that issue.

I could be wrong, but I cannot find in the legislation before the House any penalties or fines for police or public servants who illegally release information about phones being tapped or politicians who illegally seek and receive this information. This government is very selective in which rights and liberties to uphold. When it suspends standing orders and rams through legislation which would make Robert Mugabe blush, is it so concerned about the dignity and feelings of civil libertarians then? No. When it reverses the onus of proof, incorporates retrospectivity in legislation and steals land from our farming families, where is Labor's civil libertarian outcry then? We are deafened by the silence.

We have protected the dignity of all those civil libertarians and the rights and liberties of killers and drug dealers at the expense of the lives of our children. Those opposite should be ashamed. They hide behind a morally bankrupt, technical legal argument allegedly to pacify and satisfy a special and rare breed of Labor civil libertarians who, by the way, only happen to live in Queensland. We do not find those civil libertarians in any other state or, if we do, for the last 10 years those states were at least lucky enough to have Labor politicians who had the courage to ignore a contemptuous breed of human who was and are prepared to sacrifice our children's future and lives for the sake of what?

In closing I note that when the Terrorism, Organised Crime and Anti-Corruption Surveillance Bill 2007 was introduced by the member Callide the Premier herself was extremely negative towards the legislation and offered poor excuses as to why Queensland could not have telephone interception powers.

The Premier even went as far as to say that the police and the CMC already have broad powers to use surveillance devices and that the system we currently have in Queensland works well to protect the interests and rights of Queenslanders. But, as the Queensland Parliamentary Library points out in its research brief on page 4, there are limitations on the use of surveillance devices in comparison with telecommunications interception. The library research paper uses the example of listening devices, which can pick up only one side of a conversation and requires physical installation at a certain location, which of course potentially puts the officer installing them at risk, whereas telephone tapping ensures that both sides of a phone conversation, fax communication or email are recorded.

I cannot stress enough the damage that the delay in bringing this bill to this House has caused. On three occasions in opposition the LNP and the former coalition have introduced bills to give law enforcement agencies telephone interception powers. The failure of this government to support such powers has undoubtedly resulted in a growth in organised and serious crime over the past 11 years. I am pleased to support this legislation. But now we need to be backing up this legislation with other legislation—legislation that also attacks organised crime. But if this government acts to type, it will probably be another 10 years before that legislation appears before this chamber.

Mr HORAN (Toowoomba South—LNP) (10.01 am): In investigating any crime, information is everything. It is the most important tool for investigating detectives, police officers or CMC officers, and finally—at last, after 11 years—this parliament is going to pass legislation which will give investigating officers in the Queensland Police Service and the CMC the contemporary tools of investigation that are so necessary and which have been needed for so long, and that is telephone interception powers.

This need goes back to the days of the Borbidge government and a bill introduced by, from memory, Russell Cooper just prior to the 1998 election. During that time of the coalition government, sweeping reforms were introduced by the then police minister, Russell Cooper, particularly the Police Powers and Responsibilities Act, which gave police the modern, contemporary tools they needed. In subsequent years there have been amendments made to that act which have given police additional powers that they need, such as move-on powers with street parties and those sorts of things, so that some action can be taken rather than the police saying, 'There's nothing we can do.'

In the process of doing that, Russell Cooper met with many organisations and people, including Terry O'Gorman, and introduced into the legislation the PIM, the Public Interest Monitor. That was an integral part of that legislation. So whilst the police were given additional powers and additional responsibilities—the sorts of powers and responsibilities that the public and the police felt were desperately needed—there was also the introduction of the Public Interest Monitor to provide for a monitoring of the application processes, representing the interests of the public.

In this debate we have heard a lot from those on the other side about the PIM and they have virtually cast stones at this side, but it was the coalition in government that introduced the Public Interest Monitor and introduced that system of checks and balances so that the police could do their job and enabled them to have move-on powers. Initially those move-on powers centred around ATMs and school gates but they have been expanded considerably since then. So it has been the Liberals and the Nationals that have introduced the Public Interest Monitor to keep that check and balance.

Aside from the bill that was introduced before the parliament was prorogued for the 1998 election, there have been three more occasions on which this side of the House has introduced private members' bills to endeavour to give our police and our CMC the modern, contemporary tools of investigation that they need—that is, telephone interception powers. In Queensland alone—we are the only state that has not had these powers—it has been far too easy for criminals or drug peddlers to just pick up the phone and make the deal with no worries. They knew that it was a safe system that could not be intercepted, not like it can in other states.

We have of course been able to use covert surveillance resulting from the legislation of, from memory, the coalition government, and the PIM has been involved in that covert surveillance. But covert surveillance has its limitations. It often gets only one side of the conversation and it also puts at risk the officers putting the surveillance instruments and devices in place. Our police officers have been left hamstrung because this most important modern investigative tool is not available to them, despite the pushing that has come from this side of the House—from the Liberal-National coalition and now the LNP—and despite the recommendations and the pleading from the CMC and the Queensland Police Service.

Many speakers in this debate have asked what has happened in the intervening 11 years. How many cases have not been solved? How many people have got away with drug peddling, organised crime and all sorts of major crime simply because our police and our CMC were denied the use of telephone interception powers?

In the private members' bills put before this House by the coalition in opposition previously, there has always been the process of application having to be made to a Supreme Court judge in order to get a warrant to do the interception, and of course compliance was required with the federal legislation, the T(I&A) Act, which requires substantial monitoring, checking and record keeping—what is referred to as back-end checking. Together with the back-end checking, the initial application would have to be made to a very senior judicial person. We should have confidence in that process. I agree that the involvement of the PIM is very important. It provides that additional check and balance, and I was part of the government that introduced the PIM during the period from 1996 to 1998.

This issue has dragged on for so long that it is quite disgraceful. Every other state has been able to introduce this legislation, yet this state was not able to bring in legislation to provide telephone interception powers for our police. That has let our police down and it just shows a lack of resolve, because it was not always just this issue of whether the federal government would allow legislation that was not exactly parallel and complementary to what is required in all of the other states under the T(I&A) Act; it was a left-wing philosophical issue here whereby the Labor government just simply did not want to stand by the police, did not want to stand by the CMC, did not want to be strong on crime and left our law enforcement officers without this very important investigative tool.

I am pleased that this bill has finally come before the House. We have pushed for it for years and years. Many of us have spoken on this issue again and again. As indicated earlier, we will be supporting the bill. I just hope that this bill allows our police to investigate fully, with 100 per cent efficiency, because

they now have all of the modern tools that they need, because they are on many occasions dealing with criminals who have legal representation and therefore do not have to answer questions. Those people have every sort of legal support on their side, so it is important that those doing the investigation are able to get every sort of scientific or information technology type of evidence that can make their case watertight and can make criminals fearful of committing crime in our state, particularly in the area of drugs.

Mr WETTENHALL (Barron River—ALP) (10.09 am): I rise to speak in support of the Telecommunications Interception Bill 2009. In doing so, I acknowledge that it would have been much more difficult for me to support legislation of this kind if it had not contained the important safeguard of the involvement of the Public Interest Monitor. In essence, the point of difference between members opposite and government members in this debate has been the issue of the Public Interest Monitor.

The bill will enable the Queensland Police Service and the Queensland Crime and Misconduct Commission to take up and utilise Commonwealth powers to intercept telephone calls. I have detected no disagreement among members who have participated in the debate so far about the utility of those powers as an effective tool in investigating serious crime. But, of course, they come at a price and the price is that it is a very significant and serious invasion of the privacy of individuals. That is why it is so important that there are proper safeguards put in place for the use of those powers in addition to the scrutiny that will be brought to bear by the judiciary of applications for warrants for the use of interception on telephones.

We have heard a lot about the delay and the debate about this issue that has occurred over a long period. The members opposite have ascribed blame for that delay on successive Labor governments. The real reason there has been a delay is the stubborn and unreasonable failure of the previous federal Howard Liberal National Party coalition government to accommodate the legitimate concerns of the Queensland Labor government to have incorporated in this important legislation public interest safeguards in the form of a Public Interest Monitor. The members opposite have lined up one after the other in this debate to criticise successive Labor governments for insisting on that important safeguard. They have even gone so far as to make emotive claims about how lives would have been lost in consequence of the absence of law enforcement agencies in Queensland to have the ability to tap telephones.

I wonder how many—if any—of the members opposite, who had the opportunity over the course of the past decade, ever bothered to pick up their pen and write to the former Prime Minister, or write to the former federal Attorneys-General and urge them to incorporate and amend the relevant federal legislation to enable the concerns of the successive Queensland Labor governments to have that safeguard incorporated. I would hazard a guess that not one of them bothered to pick up their pen, not one of them bothered to pick up the phone and speak to the federal Attorneys-General who were in charge of this area of important legislation, or the Prime Minister. If they had, you would have thought that they might have mentioned that fact during the course of this debate. But not one has.

Honourable members interjected.

Mr DEPUTY SPEAKER (Mr Wendt): Order! There will be no discussions across the chamber. All discussions should come through the chair. I remind all members.

Mr WETTENHALL: So all of the missed opportunities to bust serious crime in this state that the members opposite have today ascribed to the absence of telephone-tapping powers could have been overcome had any one of them been able to persuade their conservative federal counterparts that a simple amendment to the Commonwealth legislation would have opened the gate to complementary legislation in Queensland. It was a simple amendment. As soon as Labor came to power federally, an approach was made by Premier Bligh to have these powers incorporated in federal legislation and it was done. It could have been done a long time ago if any of the posturing members opposite had bothered to take up that cause.

What an inconsistent approach we have heard from the members opposite in this debate. Some of them say that the PIM is the best thing since sliced bread. Others—the majority of them, I would have to say—have characterised it as window-dressing, a waste of time and not really needed. I wonder if any of them have bothered to read the annual reports of the Public Interest Monitor in Queensland, who reports to this parliament on the exercise of the powers that are given to the Public Interest Monitor in connection with state legislation and state law enforcement agencies. If they had, they would have acknowledged and been in a position to understand and make a more meaningful contribution to this debate about the very important role that the Public Interest Monitor has proven to play through the exercise of similar powers that we have insisted, as a government, be incorporated in federal legislation in relation to state legislation. These are no mere technicalities. If members read the annual reports or the periodic records that are tabled in this parliament from the Public Interest Monitor, they would see that it is clear that the Public Interest Monitor plays a very important role and exercises very real safeguards for the citizens of this state, which the citizens of this state want, expect and deserve this parliament to ensure, as it is doing through this legislation.

For example, in the Public Interest Monitor's annual report for 2007-08, it was noted that there were breaches of warrant conditions on some eight files. The Public Interest Monitor also reports that one Queensland Police Service application was opposed outright by the Public Interest Monitor and subsequently refused by the Supreme Court judge who heard the matter. The Public Interest Monitor also notes that there had been several applications where the Public Interest Monitor had made submissions opposing some part of the application resulting in changes being made to the warrant conditions from those being sought by the QPS and the CMC. Also, as has been noted in the Public Interest Monitor's periodic reports, breaches of lesser significance have been noted.

The Public Interest Monitor concluded that both the front-end and the back-end monitoring functions of the Public Interest Monitor continue to be valuable features of the criminal justice system in this place. In the 2006-07 report, the Public Interest Monitor stated—

Discharge of the Public Interest Monitor's functions requires a delicate balancing of two competing facets of public interest. The first is the public interest in ensuring that serious criminal conduct is detected, prevented and made the subject of successful prosecution by our law enforcement and prosecutorial authorities, particularly during a time of rapid technological change. The second, and no less important, is that fundamental rights of individual members of our community, such as the right to privacy, are respected and interfered with as little as possible in the process of detecting, preventing and punishing that serious criminal conduct. In addition, a commitment to the principle that independent accountability of our law enforcement agencies strengthens the fabric of our democratic society and aids the rule of law has been central to the creation of the office and the discharge of its functions.

Quite obviously, not one member opposite who has contributed to this debate has read any of the periodic reports that the Public Interest Monitor presents to this parliament. The Public Interest Monitor went on to note that on a number of occasions in the relevant reporting period witnesses and applicants had been questioned by the Public Interest Monitor and that the Public Interest Monitor and the applicants' representatives, in discussions and negotiations, had been able to reach agreement prior to the matter being heard by the judicial officer on modified positions. All of that has been characterised in the debate by members opposite as window-dressing, as the government hiding behind this ruse of the Public Interest Monitor, as the member for Toowoomba South said, exercising some left wing sort of conspiracy. What a lot of nonsense.

There are further examples of why the Public Interest Monitor is such an important safeguard. Again, in the 2006-07 report, it was noted that the recording of a telephone conversation between a target and a solicitor was inadvertently monitored in breach of standard warrant conditions preventing monitoring of conversations between targets and their legal advisers. As these examples demonstrate, the role and function of the Public Interest Monitor is no mere window-dressing, as members opposite have tried to characterise it.

There are other reasons why it is important that the Public Interest Monitor is involved at the application stage to ensure that applications are made and determined strictly in accordance with the way that both this parliament and the Commonwealth parliament have set out. There are very limited opportunities for those affected or named as targets in warrants or affected by their execution to challenge the validity of those warrants in court or the grounds on which those warrants have been issued. As the Public Interest Monitor observed in his 2005-06 report—

Given the difficulties in practice of going behind the face of the warrant the fundamental rights of the individual are therefore best protected by attempting to ensure the process is as correct as possible at the application stage. That is not to say that the Public Interest Monitors are in some way an advocate for the absent party. Rather, it is to recognise a practical limitation of the process that impacts on the balancing process.

The Public Interest Monitor has developed a practice revealed in the periodic reports to the parliament of resolving issues with the applicant's representative, of being involved at various stages of the applications made to the court, of having an overview of the operations in a way that some judicial officers would not in order to be of real assistance in developing best practice and also to the judicial officers who determine the applications. Members opposite have, at best, ignored these very real and practical functions that the Public Interest Monitor does perform and the way in which the Public Interest Monitor will be called upon to perform under this bill. More worrying and more disappointingly, they fail to understand the importance of the Public Interest Monitor and the role it will play under this legislation. With those few remarks, I commend the bill to the House.

Mr WELLINGTON (Nicklin—Ind) (10.22 am): I rise to participate in the debate on the Telecommunications Interception Bill 2009. I certainly support this bill. My question to the government is: how quickly can it fast-track the proposed bill to become legally enforceable in Queensland?

I notice that the explanatory notes contain a reference to the estimated costs to the government of implementing this report. I would certainly hope that, in the budget that the Treasurer brings down next sitting, more than enough funds are allocated to the appropriate department to meet these costs to ensure that the Queensland Police Service and the Crime and Misconduct Commission investigators

can immediately avail themselves of these new powers. We have heard a lot of discussion about the importance of this new investigative tool being made available to our investigators. It is imperative that we as a parliament make sure that in the budget to be brought down shortly there are funds allocated so that officers can immediately take up that opportunity.

I commend the bill to the House. I look forward to this proceeding to the consideration in detail stage. I want to make sure that the criminal networks in Queensland and Australia are not able to benefit from their significant resources. At the moment they appear to be, in some cases, stronger and better resourced than some of our investigators. I commend the bill to the House.

Mrs CUNNINGHAM (Gladstone—Ind) (10.24 am): I rise to speak to the Telecommunications Interception Bill. I hold grave concerns about the implementation of this piece of legislation, not because it is an important tool for police but because it is yet again an intrusion on the rights and liberties of members of our community. We need to carefully consider the parameters within which these powers will be used, the front-end and back-end supervision of the use of these powers and the extent to which telecommunications interception can be used in terms of the circumstances of its application.

I would like to ask the relevant minister to clarify some issues for me in his summing-up. The member for Burnett, who does express concerns in many areas in this chamber, raised the issue of politicians having knowledge of whose phones are tapped. I certainly am not interested in a return—and please, God, let it not be here now—to the dossier type situation on individual members of the public. It is my understanding that telephone intercept powers can only be used in certain circumstances.

I would like to commend the Parliamentary Library for its briefing note on the Telecommunications Interception Bill. It always does a tremendous job in relation to the briefing documents. The document lists offences for which interception warrants may be obtained and there is a list of serious offences. That list is exhaustively defined in the bill but it includes murder, kidnapping and similar offences—and that is great—serious drug import and export offences and other serious drug offences; acts of terrorism and related specific offences; child pornography related offences; and specified offences involving loss of life, injury or trafficking in prescribed substances where the offence carries a minimum of seven years imprisonment. Then it goes on to include specified offences involving planning and organising, such as theft, handling stolen goods, bribery or corruption of government officials, tax evasion et cetera which are punishable by at least seven years imprisonment, money laundering offences, telecommunications offences, certain computer related offences—and my comment is that these powers can be used for pretty much everything. Maybe I am being trite, but that list is certainly exhaustive.

Telephone intercept powers are intrusive, and that cannot be denied. There are those who hold the view that the powers that Queensland police currently have, albeit with supervision—that is, the use of video surveillance devices covertly placed in suspects' homes—are more intrusive and in a physical sense they are. It is certainly not just a verbal conversation; it is observed behaviour. It involves not just the perceived perpetrator but also the innocent or at least assumed innocent members of that person's family and their visitors—all unknown to themselves—who are observed via covert video surveillance. That certainly is more intrusive than audio surveillance. My concern is not necessarily that telephone tapping is the most intrusive power that we are conferring on police. My concern is that it is yet another power of intrusiveness that we are conferring on a state government entity.

The civil liberties organisation has expressed a great deal of concern about the use of these powers and much has been said in this chamber about the time taken by this government to implement telephone intercept powers. To a great extent, the tick-tacking on that issue is political—nothing else. As I said, the conferring of invasive powers has to be done very carefully. Frankly, on major joint operations, the police in this state have been able to tap into—pardon the pun—the federal government telephone intercept powers. I believe that in most of the large operations they have actually used those federal powers and have not been disadvantaged. The civil liberties organisation has said—

Police Service and the CMC on the one hand and Federal Law enforcement agencies, such as the AFP and the Australian Crime Commission on the other, in cases where telephone intercepts could be justified, the joint operation was able to make use of the Commonwealth power for telephone taps.

That is a quote from the civil liberties council submission to the Crime and Misconduct Commission review in June 2003. In my observation of the Council for Civil Liberties, I believe that its position has not changed in any way, shape or form.

Debate, on motion of Mrs Cunningham, adjourned.

Mr SPEAKER: Honourable members, I respectfully acknowledge the traditional owners of the land upon which this parliament is assembled and the custodians of the sacred lands of our state.

SPEAKER'S RULING

Sub Judice

Mr SPEAKER: On reviewing last night's parliamentary record, I noticed an interchange relating to sub judice. It appears that some members need reminding of the sub judice rules in this House, specifically that the fact a matter is reported in the newspaper is irrelevant. I have, therefore, circulated a statement in the chamber to members, for incorporation in the parliamentary record, reinforcing the sub judice convention. Is leave granted to incorporate the statement?

Leave granted.

Honourable Members,

Standing Order 233 lays down clear principles and rules in respect of matters pending in courts exercising a criminal jurisdiction. The matter should not be referred to in motion, debate or question from when the charge is laid to the determination of an appeal, if any.

I make it clear to all members that I intend to enforce Standing Order 233 vigorously, and have issued an instruction to all Deputy Speakers to be similarly vigilant in its application.

I note that matters before courts are often the subject of media reports. Media reports of criminal proceeding are subject to the supervision of the courts by way of judicial contempt powers. Proceedings in the House cannot be regulated by the courts in the same way. This is why the House imposes self-regulation through Standing Order 233.

Because a matter is reported in a newspaper is not a reason to vitiate our Sub Judice rule.

SPEAKER'S STATEMENT

School Group Tours

Mr SPEAKER: In today's sittings of parliament we will be welcoming Fairholme College from Toowoomba in the electorate of Toowoomba North, represented in this House by Kerry Shine.

PETITIONS

The Clerk presented the following paper petitions, lodged by the honourable members indicated—

Chatswood Hills Tavern, Springwood

Ms Stone, from 176 petitioners, requesting the House to reject the application for an increase in hours of operation by the Chatswood Hills Tavern at Springwood [\[260\]](#).

Nambour Connection Road

Mr Wellington, from 514 petitioners, requesting the House to ensure the intersection of Blackall Street and Nambour Connection Road, Woombye remains open; reduce the speed limit; install traffic lights and fixed speed cameras [\[261\]](#).

Licensed Premises, Noise Levels

Mr Dempsey, from 150 petitioners, requesting the House to reduce the legal sound level for licensed premises with on-premises cabaret licences [\[262\]](#).

The Clerk presented the following e-petition, sponsored by the honourable members indicated—

Driver Awareness, Horse Riders

Mr Wellington, from 337 petitioners, requesting the House to introduce a question on Queensland drivers' licence tests regarding the current risks horse riders face riding beside roads and on roads; riding versus motor vehicles; and to initiate commercial media coverage on the subject [\[263\]](#).

Petitions received.

MINISTERIAL STATEMENTS

South-East Queensland Floods

Hon. PT LUCAS (Lytton—ALP) (Deputy Premier and Minister for Health) (10.32 am): I rise in the absence of the Premier, who is currently undertaking tours of South-East Queensland in relation to the current disaster situation that is befalling South-East Queensland.

Once again Queenslanders have witnessed the awesome and sometimes terrible power of nature. The rain and subsequent flooding in South-East Queensland are the worst we have seen since 1974. Tragically, a Gold Coast office worker was killed yesterday afternoon when strong winds drove an awning through his office window. I offer the House's condolences to his family.

This morning the Premier attended briefings at Emergency Management Queensland's headquarters at Kedron, and she has been inspecting damage on the Gold Coast and Sunshine Coast. Last night she activated the natural disaster relief and recovery arrangements and has spoken to Prime Minister Kevin Rudd to update him on the situation.

Moderate to major flooding continues in areas of the Sunshine Coast, Caboolture and parts of Brisbane and Ipswich. Numerous roads across the region remain cut. Motorists should be on the lookout for potholes, flood debris, gravel and sediment covering roads.

As of 7.45 this morning, around 3,600 customers were without power, mostly on the Gold Coast and in the Gold Coast hinterland. In total, around 60,000 homes and business in Energex's network have been affected by power interruptions in the past 24 hours. I am advised that the SES hotline received 1,725 calls for assistance overnight and approximately 700 of those jobs—mostly roof repairs and sandbagging—have already been completed. At the peak of operations last night the SES had around 400 volunteers in the field.

The flooding has also impacted our hospitals. Elective surgery has been cancelled today at the Royal Brisbane and Women's, Redcliffe and Caboolture hospitals due to concerns about staff availability and road access, rather than direct flooding problems at the hospitals themselves. Any patients requiring urgent medical attention should still attend the emergency department. Patients having cancer care treatment and renal dialysis should still attend RBWH if they are able. A decision will be made later today about whether elective surgery will go ahead at these hospitals tomorrow.

All state schools are open, but St Benedict's at Mango Hill and St Peter Claver College at Ipswich are closed.

The Department of Communities has activated a hotline for people in financial hardship as a result of the floods—1800173349. Emergency grants are available for people who need urgent financial help to buy food, clothing, medical supplies and to find accommodation. The funds will help people meet the cost of replacing or repairing furniture, whitegoods, cooking utensils, linen and mattresses.

I would like to offer a big thankyou to everyone out there helping South-East Queenslanders cope with the impact of this extreme weather event. Whether they are SES volunteers who laboured throughout the night to fix roofs, teachers who stayed back to look after stranded students, police who are out there directing traffic away from flooded roads, they all deserve our thanks.

But we must stay alert. The Bureau of Meteorology has advised that there is a one in three chance of a breakaway system returning to the south-east today bringing further heavy rain and high winds. The government is ready to deal with any further problems that arise today. We also thank local government and its workers for their strong cooperation.

But the public has a big role to play as well. Despite the dangers and the warnings, some people continue to drive into floodwaters. This sort of reckless stupidity is not on. Not only are these people putting their own lives at risk, but they also tie up resources and put at risk the lives of their rescuers. As a parent, I also ask parents to keep a particular eye out for children playing in floodwaters. We have seen a number of tragedies in recent times where children have been drowned or severely injured as a result of that. I urge people to show some plain old common sense—do not drive into floodwaters and please keep your kids away from flooded drains.

South-East Queensland Floods

Hon. NS ROBERTS (Nudgee—ALP) (Minister for Police, Corrective Services and Emergency Services) (10.36 am): The weather experienced across the south-east of the state in the past 36 hours has been severe and extraordinary. Rain gauges across the region have been filled to overflowing, with around one-third of Brisbane's annual rainfall received since the weather event started a short time ago.

The Bremer River at Ipswich is expected to peak this morning at around 11.2 metres, while the Bureau of Meteorology and local authorities are keeping a watching brief on other streams and rivers in the area, particularly Slacks Creek and Mooloolah Creek. Hundreds of roads across the region were last night closed because of floodwaters, but thankfully many of those have been re-opened.

The bureau is maintaining a watching brief on weather patterns over the region, with the possibility of more rain in coming days. There is the potential for more rain across the region in the next 24 hours. However, it is not expected to be as torrential as rain experienced in the past 36 hours.

In the last 36 hours the State Emergency Service's hotline, 132500, has received close to 3,000 calls from residents affected by this extraordinary weather event. From these calls, some 1,725 tasks have been allocated to SES crews in the field. I am happy to report that as of this morning around 700 of the more urgent jobs have been completed. This is an impressive achievement by our volunteers in the field, and I would like to place on the public record our thanks for their sterling efforts.

Of course the commitment and dedication of our volunteers continues to shine. Thanks to the break in the weather, many of the 400 volunteers who donned the orange overalls yesterday and last night have been stood down to rest, but more are out in the field today attending to the needs of the community. The volunteers and crews from local councils and, indeed, the Queensland Fire and Rescue Service swift-water rescue crews are back on the ground this morning working to complete tasks already received. However, a large number are still being reported to councils and to the SES.

While I am on my feet, I would also like to talk about the high number of swift-water rescues that have occurred throughout the south-east region over the last 36 hours by the highly skilled swift-water rescue teams of the Queensland Fire and Rescue Service. In total, more than 100 people have been rescued from vehicles and floodwaters in more than 20 separate incidents.

Perhaps most disturbing for us all is that the latest rescue took place this morning at around seven o'clock, despite the repeated warnings throughout yesterday and overnight. Again, I can only plead with the community to please take care in floodwaters. It is very difficult to determine the depth of the water that a car might drive through or indeed the speed the water is moving at, and too many people are getting into too much trouble and putting lives at risk. Since November last year, which was the beginning of the storm season, unfortunately and tragically we have lost nine people in Queensland in flooded drains, creeks and rivers. We do not want to see that number increased further.

Everyone in the community needs to heed the warnings about floodwaters. They are unpredictable and dangerous. In particular, I reiterate the Deputy Premier's plea for parents and others who see children unsupervised near floodwaters to get them away from the floodwaters. I ask parents to please take care because this is an exceptionally dangerous period of time.

South-East Queensland Floods

Hon. RE SCHWARTEN (Rockhampton—ALP) (Minister for Public Works and Information and Communication Technology) (10.40 am): In the aftermath of the worst floods to hit South-East Queensland since 1974, QBuild and the Building Services Authority are on the job helping Queenslanders. QBuild staff have commenced visiting the worst affected sites in South-East Queensland to help with repairs. QBuild is allocating all necessary resources to the flood response efforts.

In response to calls for assistance, workers from QBuild are conducting assessments and rectification of the latest damage which has been predominantly caused by rainwater entry or localised flooding. For example, yesterday QBuild assisted with sandbagging work at the Deception Bay Police Station. Assistance required has generally included clearing debris and sandbagging. QBuild is doing everything it can to assist with the clean-up. With more rain predicted, QBuild will maintain a level of staff over the weekend in case more flood damage is sustained.

The Building Services Authority is the place to go for anyone who has questions regarding their homes following yesterday's floods in South-East Queensland. The BSA is ready to field any inquiries from builders, tradespeople and homeowners on a range of topics about repairs following the floods. Because of its extensive experience with natural disasters like Cyclone Larry, the Mackay floods and The Gap storm event, the BSA has a range of guides for homeowners and trade contractors who now face repair work on damaged homes. These guides include information on how to repair your home after water inundation events. The BSA has systems in place to assist consumers and contractors by streamlining the repair processes, providing assistance to consumers to help manage their situation or resolving problems in relation to repairing their homes. I urge anyone with flood damage issues to contact the BSA through its hotline, 1300BSABSA, which is 1300272272.

South-East Queensland Floods

Hon. GJ WILSON (Ferny Grove—ALP) (Minister for Education and Training) (10.42 am): All state schools remain open today after close monitoring of last night's severe weather conditions. I understand some Catholic and independent schools are closed today, and I can add to what the Deputy Premier has advised. The closed schools include St Benedict's at Mango Hill, St Peter Claver at Ipswich, St Augustine's at Springfield, St Paul's at Bald Hills and West Moreton Anglican College. Parents of students at Catholic and independent schools have been advised to contact their school to ensure that they are open.

We are closely monitoring any changes in the weather and plans are in place to contact parents if it is necessary to get students out of the schools quickly. This includes contacting them via text messages and ensuring that mobile phone contacts are available. Staff and parents travelling to and from schools need to exercise great caution and closely monitor road conditions. Please listen to local radio reports for updated weather forecasts and Emergency Services directives regarding the safety of road travel.

I am also pleased to inform the House that no students were required to stay overnight at schools. A small number of students from Kenmore State High School and Kenmore State School who were unable to return home were fortunately able to be billeted out with other families. I would like to take this opportunity to thank all those involved in yesterday's efforts to get stranded students, staff and parents home. It was a massive undertaking and would not have happened without the hard work and determination of all those who pitched in to help.

As the Acting Minister for Mines and Energy, I can advise the House that Energex workers too have done fantastic work overnight in restoring power to about 20,000 homes and businesses, while working in extreme conditions. They are continuing their hard work to restore power to a number of areas, particularly in the Gold Coast hinterland where they are having trouble accessing some areas due to flooding. Ergon workers have also been doing a great job. We thank people for their patience, and I am sure all members join with me in thanking everyone who has been involved in this major recovery exercise.

South-East Queensland Floods

Hon. CA WALLACE (Thuringowa—ALP) (Minister for Main Roads) (10.44 am): Yesterday's severe wet weather conditions led to widespread flooding on roads across the south-east. Many roads had to be closed to ensure public safety, and road diversions are in place where necessary. I table the 5 am situation report for the benefit of the House concerning road conditions in South-East Queensland.

Tabled paper: Main Roads document titled 'South East Queensland Rain Event May 2009, Situation Report No. 4, May 21, 5am' [264].

Departmental maintenance crews are currently monitoring and inspecting the road network. Standard routine maintenance activities are currently being performed, such as pothole patching and drainage clearing works. The Department of Transport and Main Roads is providing regular updates to motorists on flooding and other road incidents. I encourage all travellers to use the www.131940.qld.gov.au website to access updated road information before beginning their journey. Can I also add to the pleas of other ministers for motorists to not drive through floodwaters as they are putting their lives at risk and those of their rescuers if they get into trouble.

Many roads, including the Gateway Motorway, the Ipswich Motorway, Kessels Road, Old Northern Road and Moggill Road, have large potholes appearing in them. This situation is expected to increase as roads come under increased traffic through the day. A number of roads also have water, flood debris, gravel and sediment cover that will need to be removed.

RoadTek crews have been working throughout the night to make emergency repairs, and further crews were out at first light this morning to assess the damage and initiate a program for the clean-up, repair and rehabilitation of damaged roads. One of the worst instances involved a landslip on the Peachester range where one lane remains open to traffic. There were also lane closures and significant delays on major roads such as the Bruce Highway and the Ipswich Motorway.

I thank motorists for their patience yesterday and the departmental staff who have been working around the clock to advise of road closures and make repairs. Our first priority is to get roads reopened and cleared, but we can expect that repairs will go on for many months afterwards. With the natural disaster relief arrangements now coming into effect, I will be working with the Rudd government to get funds for more long-term repairs to our road network.

Finally, I would urge motorists to drive to the conditions at all times. This is especially the case in the wet weather when our roads can be particularly dangerous. With forecasts for more severe weather over the next few days, I ask motorists to be careful on our roads and not to take unnecessary risks so they can get home safely to their families.

South-East Queensland Floods

Hon. D BOYLE (Cairns—ALP) (Minister for Local Government and Aboriginal and Torres Strait Islander Partnerships) (10.47 am): We live in a beautiful country but it can be unforgiving, with droughts, cyclones, floods and other natural disasters. Right now, there are many people on the front line working with fellow Queenslanders in the storm recovery process. I want to pay tribute to those in many capacities in the local government sector who are working in the face of this disaster and during the ensuing and often long period of recovery. Not only are they helping their residents get through this week's storm and flooding; they are also in many cases coping with the disaster on a personal level themselves. Many council staff in all sorts of capacities are involved, and I note that Brisbane City Council staff have been out cleaning up roads damaged in the deluge and managing water, parks and sewerage infrastructure, and public facilities.

As we know, flooding and damage has been felt in areas of the Sunshine Coast Regional Council, the Moreton Bay Regional Council, the Brisbane City Council and the Gold Coast council areas. During these times, councils give their equipment and facilities over to the emergency and recovery efforts and

they help people in need. Councils play a coordinating role as well. Through their disaster management approach, they are hard at work and a key link to the other spheres of government. While the focus right now is on the emergency and recovery efforts, the work of the councils will continue in the months ahead to restore facilities and services.

Members may well remember that last November South-East Queensland was buffeted by one of the severest storms in recent memory. Heavy rain, hail and winds of up to 120 kilometres an hour brought flash flooding, damaged property and roads, and cut power to thousands of homes. In the aftermath, council crews spent many weeks cleaning up the devastation, with many months needed to get infrastructure and facilities back on track. I take the opportunity today to recognise the importance, the size and the substance of the role and responsibility of local government when disaster befalls their community.

South-East Queensland Floods

Hon. RG NOLAN (Ipswich—ALP) (Minister for Transport) (10.49 am): Queensland Transport commenced disaster management preparation for public transport services here in South-East Queensland as soon as flooding commenced yesterday. Times like this require additional effort from Public Service staff, and yesterday certainly highlighted the commitment of Queensland Transport, TransLink and QR staff.

I would particularly like to thank the staff of the Bribie Island bus service on the TransLink network who were unable to get about 40 children to school at Caboolture due to flooding yesterday morning. The children were driven to the company's depot where they were housed and entertained until their parents could safely collect them. If not for them at work, we might today have been hearing stories about kids stuck in the rain and locked outside empty houses while parents worried on the wrong side of blocked roads and swollen waterways. I would like to personally and genuinely thank the operators and the drivers for playing such a crucial role in ensuring the safety of these children.

The impact of the rain and floods should not be understated. TransLink's call centre received almost 6,800 calls on their 24-hour phone line yesterday, while the website provided information to 45,000 people seeking transport updates. My department worked jointly with Brisbane City Council in the Traffic Management Centre, assisting to manage the peak-hour traffic delays both late yesterday afternoon and also this morning.

I am also advised that QR track staff worked throughout the night last night to repair a damaged track that had been washed out yesterday between Keperra and Ferny Grove. Thanks to their efforts, the track was opened again at 8.10 this morning. There are still a number of bus, train and ferry service delays this morning as a result of flooding, and all transport agencies will continue to update the public on road closures and public transport disruptions throughout the day. I would also very much like to thank the commuters here in South-East Queensland for their patience and understanding while we work to ensure their safety on our public transport services.

South-East Queensland Floods

Hon. PG REEVES (Mansfield—ALP) (Minister for Child Safety and Minister for Sport) (10.51 am): As the Deputy Premier has highlighted in the House this morning, the heavy rains and winds that are buffeting South-East Queensland are impacting families and households across the region. There has been widespread damage to residential and community infrastructure. While many personal possessions and homes have been damaged, sporting and recreation clubs have not escaped unscathed. For example, as many would have seen on the television news last night, Downey Park at Windsor has been inundated with floodwaters.

This morning I have put into place a very practical measure to help South-East Queensland communities get back on their feet as soon as possible. I have reactivated the government's Sport and Recreation Disaster Assistance Program for sport and recreation clubs affected by flooding and wind damage in the disaster declared area. There have already been two rounds of funding under this program to assist communities across Queensland which have been affected by wild weather since November last year.

Sport and recreation services will quarantine funding of up to a million dollars to support affected clubs and organisations in current disaster declared areas in South-East Queensland. This important program recognises that community sport and recreation is an essential part of the lives of many Queenslanders. Continuing to be able to participate in sport and recreation activities is a welcome distraction for those who have suffered, particularly for children and young people. Grants of up to \$20,000 are available to help repair facilities, while grants of up to \$5,000 can be accessed for replacing sport and recreation equipment, whitegoods and canteen items.

Clubs will have until Friday, 17 July 2009 to apply for assistance, and approved funds will be provided up-front so restoration work can begin as soon as possible. I commend particularly the many volunteers of local sporting clubs who are no doubt already out there starting the huge task of cleaning up. The guidelines and application forms for the funding will be available at the Sport and Recreation website by the end of today.

Access to quality, safe sport and recreation facilities and services is essential if Queenslanders are to lead an active and healthy lifestyle. As part of the Bligh government's *Toward Q2: Tomorrow's Queensland*, we want to make Queenslanders Australia's healthiest people. This program will help get our children and young people back playing their favourite sport as soon as possible, which will help us continue to achieve this goal.

Interruption.

PRIVATE MEMBER'S STATEMENT

South-East Queensland Floods

Mr LANGBROEK (Surfers Paradise—LNP) (Leader of the Opposition) (10.54 am), by leave: I want to thank the government for according me the opportunity to make a statement on behalf of the opposition. We have just heard a number of government ministers speaking about the difficulties that their workers and many people in Queensland have experienced over the last 36 hours—a disaster that we have seen especially in South-East Queensland. I want to acknowledge the work of all of these government departments and workers who are doing so much on behalf of fellow Queenslanders.

I think it is important, though, that we acknowledge that there have been similar occurrences over the last few months and over the last year in North and Far North Queensland, and many of these people in Brisbane as well as in North Queensland have had to go through this again. I think it is important that we acknowledge the difficulties they go through. Sometimes when the media scrutiny and media glare have passed they are still there dealing with the property damage and the personal damage that has affected them.

I want to acknowledge the SES volunteers for helping their communities. Where would we be without them? I want to thank the various local disaster management groups working in the wider region. I will be seeking a briefing tomorrow on my own area of the Gold Coast, which I know has been hard hit, either from the local disaster management group or the SES. I note that there have been some great stories of neighbourly goodwill, of people saving each other and saving other people's properties. One of our opposition staff was even put up by a good neighbour in the area of Brookfield when he could not get home. They spent the evening together in some stranger's house, sharing food and providing a bed. That is a great thing that Queenslanders can do for each other.

Mr SPEAKER: Order! There is too much audible conversation. This is a serious topic. The Leader of the Opposition deserves the courtesy of the House.

Mr LANGBROEK: Thank you, Mr Speaker. I want to make particular mention, as the honourable Minister for Police, Corrective Services and Emergency Services has, of the Queensland Fire and Rescue Service's swift-water rescue teams which are saving many lives as they risk their own. I note the minister mentioned that there have been more than 20 cases—I think it was 22 cases. Many of us as local members have been to award ceremonies at which we see volunteers and professionals receiving their awards, but last night and this morning we have seen cases of these men and women really putting their lives on the line.

Many rescues have been of motorists who have foolishly driven into floodwaters over roads. I heard of one instance yesterday where someone was knee-deep in water, yet someone drove through it and the water was of such a force that it ripped off the front numberplate. That just shows you that people often do not grasp the force of the water.

The weather also reminds us of the need to keep children away from floodwaters, as other ministers have mentioned. I want to thank and commend the efforts of the team at Emergency Management Queensland, particularly Frank Pagano and Mike Shapland. I will be looking forward after question time to going to Kedron, not interfering with operational duties, but seeing them there at the State Disaster Coordination Centre.

In my own electorate a tragedy occurred yesterday to someone I know personally. Mark Bayliss was at a firm called Bayliss and Samra. Amrit Samra is a friend of mine, and I want to pass on my condolences to the family of Mark Bayliss, whom I knew, and to other staff members of his firm. He was a good person and worked in a building where many of my friends work, at 33 Elkhorn Avenue.

I want to reiterate and express the concerns we have that support events should continue beyond the acute phase, including that there be government support and that insurance companies and assessors do the right thing in the weeks and months to come once the media spotlight has passed. Once again, I would like to commend everyone for their efforts. We need to keep working hard to maintain Queensland as the great place that it is.

MINISTERIAL STATEMENTS

Resumed from p. 491.

Queensland Economy

Hon. AP FRASER (Mount Coot-tha—ALP) (Treasurer and Minister for Employment and Economic Development) (10.58 am): In February this year ratings agency Moody's announced that it was undertaking a credit review for the state of Queensland through its assessment of the Queensland Treasury Corporation. This followed the rerating by Standard & Poor's earlier that month. I advise the House that earlier today Moody's downgraded our rating to AA1, one step below the previous rating of AAA. This reassessment only underscores the importance of the government setting a future path of fiscal responsibility.

The collapse in future revenues is referenced by Moody's in its statement this morning. The agency also specifically references the need to undertake restorative steps for the longer term. The assessment comments on Queensland retaining a stable outlook and on our ability through the budget to act. I note that the rerating has been issued in anticipation of such action.

The government faces tough choices in the budget. All options before us are considerably difficult. Those difficult choices must be made as we prepare to hand down the first budget of the re-elected Bligh government on 16 June. The Premier and I and the government as a whole remain committed to charting a course back to surplus and retaining our AAA credit rating over the medium to long term. That task will be considerable. It must be balanced against the need to maintain shorter term support for the economy through the funding and construction of longer term infrastructure and the pressing requirement to chart a path towards longer term sustainability.

Q150 Steam Train

Hon. PT LUCAS (Lytton—ALP) (Deputy Premier and Minister for Health) (10.59 am): Queensland's 150th anniversary celebrations are now in full swing, engaging communities across our great state in programs, events and projects that not only reflect on our past but imagine our future. The Q150 steam train has received rock star status on its journey so far from Brisbane to Rockhampton and on to Winton, with more than 6,600 passengers having enjoyed an authentic steam train experience.

The Q150 steam train departs Rockhampton this Sunday and will stop at Mackay, Proserpine and Ayr on its way to Townsville.

Mr Schwarten: Are you going on it?

Mr LUCAS: No, I am not.

Mr Schwarten: Do you use trains?

Mr LUCAS: I do. Earlier this month the Premier had the pleasure of opening the Tree of Knowledge permanent memorial at Barcaldine. This magnificent memorial to the tree, that represents the founding site of the political movement we now know as the Australian Labor Party, will be another major attraction for visitors—

Mr Springborg interjected.

Mr Johnson: I am with you, Paul.

Mr LUCAS: The member for Gregory understands the true place of history in his community and indeed in this nation. The member for Gregory was on hand for the festivities and we are sure he agrees it will be another significant attraction in the west.

Mr Johnson: Am I the attraction or the tree? That bugged you, didn't it?

Mr LUCAS: No, you are a bit of an attraction over there. We are just wondering where the tree of knowledge is for the LNP. Is it in Clive Palmer's front lawn when he mows the grass?

The memorial was funded by almost \$2.5 million from the Queensland government's Q150 Legacy Infrastructure Program with additional funding from the Commonwealth and local governments. Another exciting Q150 Legacy Infrastructure Program just completed is Einasleigh Medical Centre near

Georgetown in the Gulf Savannah region. Einasleigh is a township of 24 residents serving a large mining area. Until now their only facilities have been the community hall with makeshift dividers and public toilets.

The new medical centre is a dedicated facility that will be used by the RFDS and allied health professionals. It has been made possible with a Q150 legacy infrastructure grant of \$63,560 matched by the local Etheridge Shire Council. In total, the Queensland government has allocated \$100 million to 92 communities for a range of capital works projects that will create a lasting legacy of Queensland's 150th anniversary celebrations.

Queensland Week begins on 6 June. Programs will be out in local papers in the week beginning 24 May 2009. Queensland Week heralds the second half of celebrations for Queensland's 150th birthday year with a bang. Grab your copy of the Q150 program, edition 2—which I am holding—from your local paper commencing 24 May to find out what is on in your town. If someone else has beaten you to it download it from Q150.qld.gov.au. I table a copy of that program and have asked that one be distributed to all members so that the Deputy Leader of the Opposition can go and see the Tree of Knowledge permanent memorial at Barcaldine.

Tabled paper: Q150 brochure titled 'Queensland's 150th Celebrations, 2009, Official Program Edition 2' [\[265\]](#).

Indigenous Youth Parliament

Hon. KL STRUTHERS (Algera—ALP) (Minister for Community Services and Housing and Minister for Women) (11.03 am): I want to thank the staff of the Department of Communities who have been in action and on alert to help people with material support and shelter. I understand staff were out this morning in the Herston area visiting families in the Northey Street vicinity.

History will be made next week when young Indigenous Queenslanders take over Parliament House for the state's first ever Indigenous Youth Parliament. Forty seats in the red chamber will be occupied by young Indigenous people passionate about making a difference. I hope their participation ignites a new passion—a passion for politics. They are, after all, the decision makers of the future.

They will be debating an Indigenous Youth Communities Bill on a range of issues that matter to them, such as education, training and youth justice. They will also take part in a yarnning circle, based on Indigenous governance systems. There is no doubt that allowing young people to express themselves, their hopes, dreams, ideas and opinions is empowering. And I am proud to belong to a government that recognises and supports a youth initiative with the potential to shape young lives and, importantly, to challenge community perceptions. It may well be our treatment of our Indigenous people that the world and history will judge us by.

Next week's Indigenous Youth Parliament is all about shaping tomorrow's leaders today. These 40 bright young men and women will learn about the democratic processes that have helped shape Queensland. They will gain a greater awareness of democracy. That is important because awareness leads to understanding, understanding leads to empathy and empathy and compassion are the catalysts for lasting social change. True reconciliation will not be achieved in this country until Indigenous people take their rightful place in this House. I congratulate all of the young people taking part in this historic event and I look forward to meeting each and every one of them next week and watching young democracy in action.

QBuild, Apprentices and Trainees

Hon. RE SCHWARTEN (Rockhampton—ALP) (Minister for Public Works and Information and Communication Technology) (11.05 am): At a time when the world economy is in crisis it is even more crucial that governments train people, especially in the building industry. The future of this industry lies in its ability to attract and train capable young men and women, and the mighty QBuild is playing its part.

I am delighted to inform the House that QBuild has created 1,239 new apprentice positions in the past decade. As at 1 May this year, QBuild is training 343 apprentices and trainees to take their place in the industry. As far as I know we are the only government anywhere that has that number of building apprentices.

Competition for positions in the 2009 QBuild intake was fierce with more than 3,200 applications received for the 100 apprenticeships on offer. It is a myth to suggest that young people are not interested in construction apprenticeships. Interviews were held across the state, and 70 per cent of these positions were filled in regional Queensland. Twenty Aboriginal apprentices or trainees took up positions and four female apprentices joined our growing ranks of female tradespeople. This year's intake includes 15 school based apprentices who will continue full-time once they finish year 12.

QBuild's apprenticeship program is helping us achieve our Toward Q2 target of a smarter Queensland, ensuring three out of four Queenslanders hold trade, training or tertiary qualifications by 2020. QBuild's role in the construction industry cannot be underestimated. From February, and as a result of the Nation Building—Economic Stimulus Plan, QBuild commenced managing a \$40 million repairs and maintenance program under the plan's social housing initiatives. This coming financial year QBuild will manage a further \$40 million repair and maintenance program.

QBuild recently played a key role ensuring security upgrades at Queensland Health staff accommodation and they were delivered in record time. In just three weeks QBuild completed these security upgrades at 56 sites across the state from the south-west corner to the outer islands of Torres Strait. QBuild also conducts a housing improvement program delivering planned and responsive maintenance works to more than 4,000 dwellings throughout 34 Indigenous communities. This is a snapshot of great work done by QBuild. This is the QBuild that those opposite would privatise as part of their new slash and burn response to the global financial crisis.

Building the Education Revolution

Hon. GJ WILSON (Ferny Grove—ALP) (Minister for Education and Training) (11.08 am): I am pleased to welcome the federal government's announcement today of successful schools in round 2 of the National School Pride funding under the Building the Education Revolution program. Around 219 state schools will receive more than \$21 million in funding. Some 57 Catholic schools will receive \$9 million and independent schools will receive \$11 million. That is a total 355 schools receiving just short of \$42 million. The program is just one phase of the Australian government's \$14.7 billion Building the Education Revolution.

Mr Wallace interjected.

Mr WILSON: They certainly did. The funding provides for minor infrastructure and refurbishment projects in Queensland schools and will help ensure the best learning environment for our students. Schools throughout Queensland will benefit from funding for projects ranging from playgrounds to classroom refurbishments.

The federal government's Building the Education Revolution program is an unprecedented investment in the future of Queensland's education system and in our state's economy. Earlier this month I joined the Deputy Prime Minister, Julia Gillard, at Everton Park State School, along with the member for Everton, to announce successful schools receiving funding in the first round of the Primary Schools for the 21st Century funding. Under round 1 of P21, 293 Queensland schools will receive more than \$650 million. The funding will create new libraries, new multipurpose halls and new classrooms for our primary schools, P-12 schools and special schools across the state.

Building the Education Revolution funding is a great opportunity for our primary schools and other schools to build new projects and refurbish existing infrastructure. Most importantly, it will help create local jobs for local contractors at a time when Queenslanders need them most. The Bligh government is committed to protecting and creating Queensland jobs. This funding complements our government's \$750 million investment in capital works and maintenance programs to state schools. Combined with our State Schools of Tomorrow program to renew and rebuild our older schools, students and teachers throughout the state will have access to state-of-the-art teaching and learning environments.

This is just another example of the state and federal governments working hand in hand. By working together with the Rudd government, we can continue to help protect and create jobs for Queenslanders where they are needed most in these tough economic times. Together, we are also building Queensland's schools of the future. With this investment from the federal government, we will continue to build a smarter Queensland by ensuring that all of our students have access to the most up-to-date facilities and cutting-edge technology.

Door-to-Door Trading

Hon. PJ LAWLOR (Southport—ALP) (Minister for Tourism and Fair Trading) (11.10 am): Unfortunately, after significant bad weather the Office of Fair Trading receives increased reports of dodgy door-to-door traders. There are a lot of Queenslanders today suffering from a loss or damage of property. I want to warn them to be on the lookout for anyone selling flood assistance door to door. Queensland has some of the toughest laws against intimidating tactics and unsolicited approaches employed by some roving door-to-door traders. This is about protecting the rights of all Queenslanders, particularly the elderly and those who can least afford to be ripped off. My warning to door-to-door traders is very clear: act within the boundaries of the law or face fines of up to \$270,000.

Door-to-door salespeople must produce an identity card with the dealer's full name and address; only contact customers between certain hours; provide a written contract with a breakdown of the costs, including GST, and the total price where the sale of goods or services is valued at more than \$75; and

they must offer a 10-day cooling-off period for the sale of the goods and the services. The Queensland government has also recently moved to close a loophole that allowed door-to-door traders to apply for permission to operate after-hours. This means traders can no longer sell door to door after 6 pm Monday to Friday and after 5 pm on Saturdays. Trading is prohibited on Sundays and public holidays.

Whilst the Bligh government is working to offer higher levels of consumer protection in Australia, under an LNP government the level of protection offered to Queenslanders would be significantly less. With the 12,000 job cuts which were proposed, we would have seen Fair Trading officers removed from service. The three per cent productivity dividend would have seen funding cuts which would have restricted investigations and prosecutions. So whilst the LNP went door to door selling its snake-oil solution to the global financial crisis during the last election, the Bligh government made a commitment to protect jobs and Queenslanders, and we stand by that commitment.

Multiculturalism

Hon. A PALASZCZUK (Inala—ALP) (Minister for Disability Services and Multicultural Affairs) (11.13 am): I have good news for Queensland. Recently I announced more than \$5.7 million in funding over three years for the Local Area Multicultural Partnership and Community Action for a Multicultural Society programs right across Queensland. The funding is to support the work of LAMP and CAMS staff within local government and local communities to strengthen multiculturalism. However, during a meeting with the Ethnic Communities Council, I was made aware of an ongoing need for a multicultural worker in the Bundaberg area. In response to this, I spoke to the mayor of the Bundaberg council who supported the need for a multicultural worker in the area.

I am pleased to advise the House that the Bligh government has responded to this by investing \$40,000 over three years for a multicultural worker in the Bundaberg area. Bundaberg Mayor, Councillor Lorraine Pyefinch, said in a recent letter that in Bundaberg alone there are 38 different nationalities. She said—

The Wide Bay Burnett Regional Plan identified that inward migration of skilled workers is a significant driver for growth throughout the region with 10 per cent of the region's population being born overseas and around 200 a year (20%) coming from non-English-speaking backgrounds.

I also spoke to the member for Bundaberg about this issue, and I am pleased that we have been able to work together to provide a solution for the Bundaberg area.

The Bligh government is working in partnership with the 14 local councils and 16 community organisations to deliver these programs across the state. These programs have been running for the past 10 years—a significant achievement. Over this time the programs have helped people from a broad range of backgrounds settle in their communities and connect them with local services. These programs promote the social, cultural and economic benefits of multiculturalism to local communities and I am proud that our state is renowned for its inclusive and welcoming culture. Queensland is certainly enriched through the LAMP and CAMS programs, which now extend from the Cassowary Coast to the Gold Coast and now out to two new areas, the Lockyer Valley and Dalby.

Gold Coast, Road Projects

Hon. CA WALLACE (Thuringowa—ALP) (Minister for Main Roads) (11.15 am): Last week I had the opportunity with my colleague the member for Broadwater to inspect a number of important road projects that are underway on the Gold Coast that are creating and sustaining vital jobs for that region. These infrastructure projects are critical to meeting the continuing and rapid growth of the population on the Gold Coast area and will also improve traffic safety and increase traffic flow. Most importantly, these projects are providing thousands of direct and indirect jobs which are vital during the economic downturn. The private construction industry has been hit hard by the global financial crisis, and even growth areas like the Gold Coast are seeing a slowing of construction projects. That is why it is essential that the Bligh government create infrastructure projects such as the many road projects that are happening across the Gold Coast right now.

For the south coast region, \$950.9 million has been allocated for the 2008-09 and 2009-10 financial years in the current Roads Implementation Program. This provides a total of more than 8,000 direct and indirect jobs sustained over the two years of the program. But there is some bad news. The opposition would rather we followed the Western Australian example and slash infrastructure funding by applying its three per cent productivity dividend. That would slice \$28.5 million from road spending in the region and result in the loss of about 250 jobs. Which projects would the opposition stop or delay: the \$17.6 million second stage of the Hope Island road project, which is helping to sustain 137 direct and indirect jobs; the \$11.6 million—

Mr Springborg interjected.

Mr WALLACE: We know the Deputy Leader of the Opposition does not care about the Gold Coast. Just look at his record there at the last election; no support for its wonderful AFL stadium. Would those opposite stop or delay the \$11.6 million second stage of the construction of the Gold Coast Highway at Labrador, which is helping to sustain around 90 direct and indirect jobs, or the upgrade of the Nerang south interchange or Mudgeeraba interchange on the Pacific Motorway which between them will sustain more than 700 direct and indirect jobs? Proudly the Bligh government is committed to creating and sustaining jobs, building tomorrow's Queensland today and ensuring that we are meeting today's economic challenges.

World Heritage Listing

Hon. KJ JONES (Ashgrove—ALP) (Minister for Climate Change and Sustainability) (11.18 am): Tomorrow, when I meet with other environment and heritage ministers, I will be working to deliver one of the Bligh government's election commitments—working to put Cape York on the international map as a place of World Heritage. I will be supporting a recommendation to put Cape York at the top of Australia's World Heritage tentative list that will be submitted to the international body UNESCO by the end of the year. This is the first step in a long process that will require substantial consultation with Indigenous and conservation groups and other relevant interests and collaboration with the Commonwealth. The Rudd government is committed to investigating a World Heritage nomination of Cape York with the consent of traditional owners, which I support. The tentative list is designed to prioritise potential World Heritage List properties that should be submitted by the Australian government. The extension of Fraser Island's World Heritage area to include Cooloola will also be on the agenda for the tentative list.

There can be little doubt that Cape York is a natural and cultural landscape of unique beauty and quality that has been shaped over millions of years and nurtured for thousands of years by the traditional owners. A World Heritage listing would give it international recognition and further showcase its cultural and ecotourism values. It would build on the work that our government has been doing for many years with conservation and Indigenous interests to manage and protect this vast and unique landscape.

However, there are a number of hurdles to get over. The Cape York and Cooloola nominations are not finalised until the properties are formally submitted for consideration. They will be subject to lengthy discussions, scientific assessments and negotiations with all parties involved to ensure that the best interests of the sites and their communities are taken into consideration. But tomorrow will be an important first step towards having both Cape York and Cooloola as World Heritage candidates. This is great news for Queensland. We already have five World Heritage places and these two would be the perfect addition to our treasures, bringing tourism dollars and jobs to Queensland.

Workplace Audits

Hon. CR DICK (Greenslopes—ALP) (Attorney-General and Minister for Industrial Relations) (11.20 am): The Bligh government, like all good Labor governments, has a strong record of protecting workers' rights. As we continue to strive for a fair and just Queensland, this remains one of our key priorities. Particularly in these tough economic times, it is vitally important that workers receive the correct pay they are entitled to from their employers. That is why this government continues to ensure that there are appropriate safeguards and checks in place to make sure that correct wages and entitlements are delivered into the pay packets of Queensland employees.

Our industrial relations inspectors work tirelessly to investigate employee complaints about incorrect and outstanding pay. Checks are conducted across Queensland all year round to ensure that workers are not being ripped off. In the first three months of this year, our inspectors conducted more than 1,300 wage audits and worker complaints investigations on behalf of more than 3,000 employees. Already, nearly \$1 million has been recovered for Queensland workers in outstanding or incorrect wages. That is \$1 million Queensland workers would have been forced to go without if these audits had not taken place.

This government is committed to securing workers' pay packets so that Queensland families are protected. We are dedicated to protecting workers' rights and providing safe, just and fair workplaces for all Queenslanders. Last year, \$4 million in wages was recovered through audits on behalf of nearly 17,500 Queensland workers. Regrettably, 43 employers were prosecuted for consistently and deliberately doing the wrong thing by their employees. Others were happy to reimburse workers once they became aware of their errors as a result of audits by our department.

These checks are conducted in a range of industries, including hospitality, retail, fast food, transport, construction and engineering, and fruit and vegetable growing. These checks are carried out to protect some of Queensland's most vulnerable employees and to ensure that Queenslanders continue to receive their lawful entitlements.

I urge all employers and employees to familiarise themselves with the rights and obligations that they are entitled to and are obliged to perform under Queensland's industrial laws to ensure that every Queenslanders receives a fair day's wage for a fair day's work.

Local Government Week

Hon. D BOYLE (Cairns—ALP) (Minister for Local Government and Aboriginal and Torres Strait Islander Partnerships) (11.23 am): Monday, 1 June marks the start of Local Government Week this year. This will be not only an opportunity to reflect on the sector and celebrate its achievements but also an opportunity to take stock of the challenges that lie ahead. Now in its 11th year, Local Government Week has become a state-wide annual event, promoting awareness and understanding of the people, jobs, facilities and services that shape modern councils. This year's theme is 'Switched on Councils! Powering Queensland Communities into Sustainability'. It highlights the role that everyone has to play in building a sustainable future for Queensland, including the local government sector.

Through structural reform a little over 12 months ago, councils will be financially stronger and better resourced to deal with the challenges ahead—from population growth to our natural environment. Aside from guiding this reform agenda, which has brought our state's local governments into the 21st century, the Bligh government assists councils to develop measures to manage the issues climate change is throwing at them. That includes projects to combat erosion, landfill rehabilitation, flood mitigation and water and sewage treatment upgrades.

This government is proud to be able to support our councils in delivering better outcomes for Queenslanders. I wish all of the state's councils a successful Local Government Week and I encourage the wider community to take an active interest in their local council and the many benefits and services that it provides.

TravelSmart

Hon. RG NOLAN (Ipswich—ALP) (Minister for Transport) (11.25 am): The Bligh government is getting on with the job of reaching our Q2 green targets by reducing congestion and greenhouse gas emissions in South-East Queensland. We are doing that through a multipronged strategy. Firstly, there are major transport projects, such as our extensive busway network, unprecedented spending on passenger railway upgrades and our \$556 million Cycle Network Program. Secondly, we are continually upgrading bus, rail and ferry services, currently rolling out one new train every month. Thirdly, we are actively seeking to change the way people choose to travel so they leave their cars at home whenever possible.

I am proud to announce today that the Bligh government has authorised the largest TravelSmart travel behaviour change project ever undertaken. TravelSmart communities projects work directly with householders to reduce reliance on cars and to encourage people to use healthier, more environmentally friendly forms of travel, such as public transport, walking, cycling and car pooling. The TravelSmart communities program will cover the Sunshine Coast, Caboolture, the Gold Coast, Ipswich and Brisbane's southern suburbs. The program will extend the excellent work achieved by TravelSmart in Brisbane's northern suburbs during 2006-07.

The northern suburbs project created 200 jobs. These new projects will create up to 600 more jobs for Queenslanders. The residents of some 324,000 South-East Queensland households will be asked to participate in TravelSmart projects during the next two years. Those involved will be given assistance to move from private vehicle commuting to more sustainable methods of transport.

We know that this form of intervention has a very positive impact on travel behaviour. In Brisbane north, where the project involved 74,500 homes, there were outstanding results, including a 25,000 tonne reduction in greenhouse gas emissions, a 49 per cent increase in walking, a 58 per cent increase in cycling, a 22 per cent increase in public transport use, and a 13 per cent decrease in car use as driver. That is a 13 per cent reduction in private vehicle use—an enormous impact. Similar results in the TravelSmart projects I am announcing today could mean that the reduction in greenhouse gas emissions may well exceed 100,000 tonnes. I urge all members to become actively involved and help to promote a cleaner, greener lifestyle in the great south-east.

Aviation Investment

Hon. AP FRASER (Mount Coot-tha—ALP) (Treasurer and Minister for Employment and Economic Development) (11.28 am): The Bligh government was elected in March with a mandate to protect jobs, to generate new jobs and to ward off the full effects of the global recession. Since then, as we did before, we have been actively promoting Queensland to the business sector to help stimulate job creation and industry development. The reality is that the economic environment in Queensland represents a long-term growth proposition for interstate and international companies.

One industry sector where the Queensland government is soaring is aviation. I am pleased to report on a further success from our investment agency, Invest Queensland. Interturbine Advanced Composites relocated to Brisbane this year, bringing an extra 20 jobs to Queensland. Interturbine is the Australian arm of a major German aerospace firm and supplies advanced composite materials and components to the aerospace and fibre composites industries. Interturbine is one of 16 projects that Invest Queensland has brought to the state, resulting in more than 1,500 jobs and almost \$200 million in capital expenditure.

This announcement follows on from the government's announcement last month that our assistance has helped Tasman Aviation Enterprises secure hundreds of jobs in the western corridor. The Premier and I recently visited the workshops at Amberley along with the transport minister and member for Ipswich West where TAE will service the engines of the Australian Defence Force's Hornet aircraft. This 10-year contract is a win for the local area and a win for the Queensland economy.

Of course, earlier this month the Premier joined with Qantas as Qantas committed to retaining more than 500 maintenance jobs with the company's decision to base the maintenance of its Airbus A330 fleet here in Brisbane. The facility was originally lured to Brisbane with government assistance, and this secures its longer term future in a difficult environment. These are the runs on the board that are evidence of the government's commitment to creating and supporting jobs during these difficult times.

QUESTIONS WITHOUT NOTICE

Queensland Economy

Mr LANGBROEK (11.30 am): I refer the Premier to today's further downgrading of Queensland's credit rating by independent agency Moody's to be the lowest of any Australian mainland state. Does this failure not show that Queenslanders cannot count on her to protect their jobs and that the Premier has no plan?

Ms BLIGH: I thank the honourable member for the question. First of all, I should say it is not a further downgrade from that which was received just prior to the election being called; it is in fact another ratings agency making the same conclusion.

Let me say a couple of things. It is absolutely clear from the rating agency's statement today that our government needs to do exactly what we are doing with this year's budget: make tough decisions. During the election campaign we made it absolutely clear that tough decisions would be needed. We simply cannot get a budget that has had \$14 billion stripped off its bottom line by the global financial crisis back into a stable position without taking some very hard decisions in terms of both expenditure and revenue. We are ready to make those decisions but we are equally clear that those decisions will not involve mass job cuts and it will not involve mass cuts to our infrastructure program. The position that we took to the last election was very clear: we told people about the changes in our budget position, the rating agencies made a judgement and we then called an election. Nothing could have been clearer or more transparent.

Mr Messenger interjected.

Mr SPEAKER: Honourable member for Burnett.

Ms BLIGH: Of course the Deputy Leader of the Opposition told the people of Queensland that, firstly, his strategy would be to keep the budget in surplus, but the only way he could think of doing that was sacking people, front-ending their jobs and making them de-necessary. The shadow Treasurer told the people of Queensland that projects would have to be cut or would have to be delayed. We said that we take a very different view, and the people of Queensland supported the view that now is not the time for us to be cutting our building program or cutting jobs. Honourable members will see in our budget a responsible and measured response to the need to restore our budget position in the face of the worst global financial crisis—the global financial crisis that continues to be denied by those opposite, that continues to be questioned. One day those opposite say that we should not do things and we should not take tough decisions and then the next day they say we should. They do not know where they stand on the economy. They are marooned on this issue.

Unemployment

Mr LANGBROEK: I refer the Treasurer to the latest Centrelink statistics showing that last month 3,614 Queenslanders joined the dole queue and that in the Treasurer's own electorate of Mount Coot-tha there was a 10.4 per cent increase in unemployment. Does this not show that Queenslanders cannot count on him for jobs?

Mr FRASER: I thank the Leader of the Opposition for his question. I think it underscores the challenge and the policy priority for this government as we face framing the budget to be handed down on 16 June. Those are the statistics that concern this government the most. That is the human toll of the global recession that has provided the framework for everything this government has done in recent times and everything that this government will do into the future.

There is a sea of numbers. There is a sea of red around the world. There is a sea of countries that are in recession. There is a tide of economic destruction that was not created in this state but which has delivered to us exactly those tragedies. Each and every one of them is an individual tragedy.

It is the policy priority of this government to do everything we can in those circumstances to make the tough decisions, to make the decisions to ensure that we can provide support to the economy in the shorter term, to ward off the worst effects of the global recession. Equally, as I have said consistently in this parliament and in handing down the economic and fiscal update before the election and in handing down the major economic statement before that, while we need to hold our nerve at this point we absolutely need to make decisions for the longer term that return the budget to a more sustainable position. That much has been said all the way.

The interesting point in that context is this: for each and every year of the last 10 years after a budget has been delivered in this parliament, one by one each and every Leader of the Opposition after Leader of the Opposition—the Deputy Leader of the Opposition amongst the chief villains—have done the same thing. They have stood up and said, ‘Why don’t we spend more,’ on a list as long as my arm. Every time we have undertaken revenue measures, they have opposed it, spoken against it. Let us not have a false debate about the nature of the tough choices. Each and every time they have stood up in this parliament to respond to a budget they have put forward the proposition that we should spend more, build more and have fewer taxes. That is why the people of Queensland for not the first time, not the second time, but the third time judged that proposition for what it is: totally false, without credibility, without a skerrick of a view about what to do as we face these tough circumstances. Remember this: it is this government that had the courage to make the decisions in the first instance and it is this government that has the courage to make the decisions for the longer term benefit of Queensland.

Mr Springborg interjected.

Mr SPEAKER: Deputy Leader of the Opposition, you have been persistently interjecting.

Water Supply

Mrs KEECH: Following the recent rain, can the Premier provide the House with an update on dam levels?

Ms BLIGH: I thank the member for the question. The electorate that she represents, like those of so many others on both sides of this House, has seen some serious impacts over the past 24 hours. I start by offering my condolences to the friends and family of Mark Bayliss on the Gold Coast, who lost his life during yesterday’s storms in absolutely tragic circumstances. The accident that claimed his life is a reminder to all of us not only of the fragility of life but the terrible power of nature when it turns on such an event as we saw yesterday.

I also join the Deputy Premier in his remarks earlier to the House and thank every one of our emergency service workers, all of the volunteers, the people who were out all last night—Energex workers, QBuild, workers employed by local councils and RoadTek. They were all out over the past 24 hours keeping people safe and we owe them a debt of gratitude.

I would like to say a special thankyou to the teachers and staff at the five schools who yesterday afternoon were finding homes and accommodation for almost 500 children. In the end, thankfully, most of those children were able to go home, but many of them were billeted by other families from the school community.

There is, however, one silver lining and that is what is happening in our dam system. Our dam levels are now combined at just over 72 per cent and are continuing to rise. Since Monday our dams have received more than one year’s supply of water—that is 240,000 megalitres in the last three days.

I have had the opportunity to go over North Pine Dam. North Pine Dam is now full and releasing water for the first time in eight years. It is quite a sight and a good one to see. In the last 24 hours our combined dam levels have increased by almost 10 per cent and, as I said, they are all continuing to rise. All of the Sunshine Coast and Gold Coast dams are now either at 100 per cent or are spilling. I would like to remind some people that the Traveston Crossing Dam would have now filled for the 10th time since 2006 when we announced the dam.

Mr Horan: It would have evaporated 10 times too.

Mr Gibson: Shallow dams—it wouldn’t take much to fill them.

Ms BLIGH: I think it is important—

Mr Lucas: You want dams everywhere in Queensland except Traveston.

Ms BLIGH: Yes, those opposite want a dam everywhere except the one place that it just keeps raining.

Queensland Economy

Mr NICHOLLS: My question is directed to the Treasurer. Moody's has downgraded Queensland's credit rating today. In the downgrade, it refers to a deficit before the current economic downturn. Will the Treasurer now admit that this government went bust in a boom?

Mr FRASER: I thank the shadow Treasurer for his question. When one reads the statement from Moody's it contains no revelations whatsoever other than what has been debated in this parliament over the course of the budgets over the last number of years. It points to very much the process that the government undertook in an open manner about increasing the infrastructure spend in order to take the benefit of the boom that was being experienced in recent years.

The dominant economic debate that was occurring both in this state and in this nation in the last year was about the need to increase the productive capacity of the economy, because what we were facing at that time of course was the pent-up pressures from inflation, the pent-up pressures that were driving pricing pressures. So at that time the government undertook a very sensible economic strategy of ensuring that we took the opportunity at times like that to finance a large infrastructure program to build a platform for growth for the future. That much was the clear strategy of this government and I believe the right strategy.

What occurred after that, and what in particular some members opposite still will not accept, is that there was 'causis interruptus'—a global recession the likes of which has not been seen for three-quarters of a century. That is the bit that comes after the comma that the members of the Liberal National Party are not prepared to countenance in seeking to conduct this debate.

A review of the budget papers in recent years past will show that we did increase the infrastructure program. We increased the financing program that went with that infrastructure program at the same time that each and every one of the Liberal National Party members in this parliament begged us, behoved us, pleaded with us, one by one—from intersection to school, to major road, to dam, to port, to railway line—to increase spending. Each and every time they put forward that view.

The reality is that right now we do face, courtesy of where we are, a \$14 billion write-down in our revenues. That much is not lost on most members of this parliament. That much is not lost on the people of Queensland. That much is not lost on those people who seek to prosecute this debate through a reasonable basis of truth and fact as opposed to those people who seek to prosecute this debate based on perpetrating conclusions that are not based on the evidence before them. The reality for us is this: we need to have the courage of our convictions to put people first in these circumstances and know that the long-term interests of the state must always be our guiding light.

Natural Disaster Relief and Recovery Arrangements

Mrs SULLIVAN: My question without notice is to the Premier. Last night the Premier activated the natural disaster relief and recovery arrangements. What are the benefits on offer from these arrangements?

Ms BLIGH: I thank the honourable member for the question. I have also this morning inspected a number of areas in her electorate. She would know that some of them have suffered some very severe damage and it will be some time before they get back to normal and before roads will allow access into some parts of her electorate. I can assure her and her constituents who are affected and others right across the region that the natural disaster relief and recovery arrangements are now operating from 6 pm last night. These allow people to access immediate cash relief for personal hardship—that is, a cash grant of \$165 for an individual and \$765 per family for those people who are directly impacted. These payments are not means tested. They provide immediate cash relief for those people who are in need.

These arrangements also provide for additional assistance, on a means tested basis for household contents, to those residents who satisfy the means test. Generally these are people who often are not insured—they might have been renting their home—but who have suffered very serious loss and damage and really need assistance. I encourage those people and members of the House on all sides who have constituents affected in this regard to make sure that they are aware of these entitlements. A hotline has been operating run by the Department of Communities, which has activated all of these arrangements. I urge people to get in contact with the department.

There are, unfortunately, some people who went through very serious circumstances in suburbs like The Gap in the storms at the end of last year who have apparently suffered further damage to houses. I was speaking to the Lord Mayor this morning at the coordination meeting, and he advises me that he visited homes that people had only just recently moved back into after being repaired after the last storms at The Gap and they have suffered further flooding yesterday. Our hearts go out to those people particularly who are going through repeat experiences.

I advise that, while it seems the worst is past, we are not out of the woods. We can expect to see, according to the Bureau of Meteorology, further rain over the next couple of days. The areas most at risk are the Gold Coast and areas just north of the Gold Coast. But Brisbane has at least a 30 to 40 per cent chance of also seeing a return to heavy rainfall coming on top of areas where there is a lot of water lying around with nowhere to go.

Our SES crews, our orange angels, have received more than 1,700 calls for jobs. They are out there doing what they can to use this momentary reprieve in the weather to assist the recovery. I urge everybody whose constituents are affected to familiarise themselves with the relief arrangements. Not only have they been activated for this incident but perhaps we will see them in the future and people should be aware of them.

Queensland Economy

Mr SPRINGBORG: My question without notice is to the Treasurer. Three months ago Moody's warned that Queensland's credit rating was under threat and today it has downgraded our credit rating because of 'the lack of medium-term strategy to restore budgetary performance'. Will the Treasurer tell the House how much longer he will allow the lack of financial management to put Queensland jobs at risk?

Mr FRASER: I thank the honourable member for his question. What was clearly stated in the economic and fiscal update which was released in late February, and what I explicitly said at the time, was that that update referenced the need, required us, to chart a course for the medium term back to fiscal sustainability. That much is contained explicitly in that statement. It is at the start of the statement, in fact. The Deputy Leader of the Opposition does not have to get too far through it before he would come across those statements. I said them publicly at the time.

Mr Springborg: There is no medium-term strategy.

Mr FRASER: I know that the Deputy Leader of the Opposition has a copy of the statement issued by Moody's this morning. I would remind him, as I place on the public record here, of where governments express their views about their fiscal strategy in the short and medium term—that is, through the mechanism of a budget. A budget will be issued in this parliament for this state on 16 June—in less than four weeks time. The answer to his question is 16 June.

I am not sure that the Deputy Leader of the Opposition is ultimately putting forward a view that the government in these circumstances should do anything other than bring forward a budget that charts a course for that. Therefore, on that measure, I welcome his recognition of the challenges facing the state, and I welcome his implied support for us to take those corrective decisions that will be required in the circumstances.

The reality for this government is a stark one, like it is for all governments around the nation and around the world at the moment. It is a reality that is continually denied, however, by members opposite. Let us recall where this debate has been this week. The opposition has asked us to match the achievement of Western Australia—to match the achievement of undertaking wholesale job losses, to match the achievement of making sure that we deliver budget surpluses on the back of payroll tax rates much higher than they are here in Queensland. The opposition's bankruptcy of ideas in endorsing the Western Australian model—which was reflected in the statements of the Leader of the Opposition that it is not up to him or anyone else on that side of the parliament to come up with any ideas—reflects the bankruptcy of this debate by the Liberal National Party.

The people of Queensland should remember this: those opposite budgeted for deficits, they budgeted for debt, they budgeted to build their program of irresponsible policies on the back of job losses throughout the Queensland public sector. The people of Queensland should remember that. That is where this debate started and that is where this debate is going to end.

Mental Health Services

Mr CHOI: My question without notice is to the Deputy Premier and Minister for Health. Can the Deputy Premier inform the House of the steps being undertaken to improve mental health services in Queensland?

Mr LUCAS: I thank the honourable member for his question. Mental health is one of the most serious problems confronting modern society and it is a problem that is made all the more difficult due to the stigmatisation that people with mental health issues suffer in the community. Further, there is a view amongst some people that everybody who has a mental health issue is in a dangerous or psychotic state, and that does people with mental health issues no favours.

One in five people experience mental health problems in any one year—and that includes one in five people here; we are no different from other people in the community—and the general practitioners here would tell you about that as well. I have seen firsthand the impact mental health issues have on families and health workers. I indicated yesterday in this place that one only has to be with the police and ambulance workers now to see that they attend proportionately fewer car accidents and those sorts of call-outs and more episodes of acute mental health issues.

Depression is predicted to rise from the fourth to the second major cause of global disease burden over the next 20 years. We have invested \$983.6 million in mental health in just over five years, but we know there is still more to be done. It is the largest single investment in mental health in Queensland's history, but we acknowledge it is going to take time to make the wide-ranging changes.

We are spending that money on more doctors, nurses and allied health professionals to open more beds and build better facilities for people with mental health illnesses. Some \$122 million of that investment is allocated towards expanding inpatient facilities. Last financial year, work commenced on 17 projects. We are building new acute units at Logan, Caboolture and Mackay hospitals; additional high-security and extended treatment and forensic services are being developed at The Park: Centre for Mental Health; a new medium-secure unit is being built at the Caboolture Hospital; and new child and youth inpatient services are being built at Toowoomba and Townsville. Work is also underway to upgrade the secure and rehabilitation unit in Townsville and upgrade the Barrett Adolescent Centre. By 2011, we will have 146 extra beds, but it is not just about building infrastructure.

The Minister for Disability Services and I will be convening a mental health round table that will have its first meeting next month. It will involve all of the relevant stakeholders in this area. I see the member for Bundaberg is nodding his head, because he knows that the Police Service is often at the forefront of this as well. I want to sit down with those people and understand the issues that are confronting us and to understand what we can do to attack the very broad range of mental health conditions that are out in the community at large. This is a very important task. I thank my ministerial colleague for her cooperation.

Queensland Economy

Mr SEENEY: My question without notice is to the Treasurer. I refer the Treasurer to Moody's credit downgrade note, where it says that the impact of budgetary measures is unlikely to lead to a 'material shift in the negative trajectories'. Will the Treasurer now admit that the government has no plans to address the budget deficits that this state will face for many years to come?

Mr FRASER: No, I will not, and the government has a budget that is under preparation and that will be delivered into this parliament on 16 June. I think it is worth pausing to put this debate into some perspective. A credit rating is a very important measure for any jurisdiction. It is the mark by which investors judge jurisdictions, but I have said this before publicly and I will take the opportunity again today to make this statement to the House.

In the fullness of time, when the history of the global recession that has been visited upon the world—the worst global recession in the last 75 years—is written, when the undergraduate economics students of today write their theses and the professors of economics write their assessments of what caused this, there will not be a chapter that mentions what the state of Queensland did. There will not be a chapter that mentions what any state in Australia did. There will not be a chapter about what the Australian government did—not this Australian government or, frankly speaking, the last federal government in this nation. However, make no mistake about it: in the fullness of time there will be an assessment of the role ratings agencies played in the creation of the circumstances that the people of this state face.

I would like at this point to refer the leaders of the Liberal National Party and the members opposite to a transcript from 612 ABC last week which they should secure. Actually, it is not enough to just get the transcript; it is worth listening to the audio because it features an amazing rant from Senator George Brandis, railing against the ratings agencies on that front. I merely make the contextual point that this is not a circumstance of our making.

This government has an utter resolve, when we bring down our budget on 16 June, to stand by the people of Queensland—to stand by those people in the economy who have faced unemployment, to support those people in the economy who are facing the tragedy of unemployment, to make sure we do everything we reasonably can in the short term to support demand in the economy, to keep our Capital

Works Program going, to make sure we provide that investment support in the economy, because that is the right thing to do now. As we have said consistently, before the election and post the election, that always provides for us to take restorative measures in the longer term to secure the future fiscal sustainability of the state. That much has been the resolve and will remain the resolve.

Queensland Economy

Mr KILBURN: My question is to the Treasurer and Minister for Employment and Economic Development. Is the Treasurer aware of any recent data about our major trading partners that will have an impact on the Queensland economy?

Mr FRASER: I thank the honourable member for Chatsworth for his question, and I look forward to his continued service in this parliament for the duration of the term of this government. The reality is that there continues to be a wealth of evidence that is provided to markets on a daily basis that describes the loss of wealth that is occurring around the world. Yesterday we saw GDP figures out of Japan—and Japan remains the state's largest remaining trading partner—which paint a bleak picture of the prospects for the Japanese economy at this time.

Japan, as our largest trading partner, was found yesterday to have a decline in its economy in the March quarter of a massive four per cent. In annual terms, that is just over nine per cent. That is not recession territory; that is depression territory. Why is that relevant to the people of Queensland? While Japan is our major trading partner, that news is important for our coal exports and other mineral exports, but it is also important because of our tourism industry and because Japan is a destination for our agricultural exports.

That contraction is the largest in the 54 years that it has been undertaken on that measure, to put it into perspective. Indeed, earlier this month a Consensus Economics forecast concluded that, of our major trading partners for the Queensland economy, collectively they are in recession by a factor of 2.4 per cent—that is, taken as a whole, all the nations with which we trade will contract this year by just under 2½ per cent.

To put that in perspective, and the convenient part of the story of the last 12 months that is denied by the global financial crisis deniers on the other side of the chamber is this: if you look back to where we were when we handed down the budget just under a year ago, at that time the growth prospects for our major trading partners were 3.8 per cent. By the time I handed down the midyear outlook in December, it had nearly halved to two per cent. By the time we issued the economic and fiscal update before the election, it had fallen to negative 0.7 per cent, and today it stands at just under negative 2½ per cent. Because it is always a challenge to prosecute the argument with those opposite, I table a graph.

Tabled paper: Graph of forecast growth amongst Queensland's major trading partners [\[266\]](#).

They do not really need to go through it in detail, except to notice that it starts here and goes there. That much would be a revelation to members of the Liberal National Party, who continue to deny the reality of the circumstances that not only are facing this state but have been visited upon the world. We were not sitting at the table when this crisis was authored, but it is up to those of us sitting at the table now to make sure that we are a part of the solution.

Queensland Rail

Ms SIMPSON: My question is to the Minister for Transport. Has the minister been advised of any proposals to consider or prepare Queensland Rail or any of its components for sale, including negotiations on likely redundancy packages for QR staff?

Ms NOLAN: Queensland Rail is not for sale. I think the people of Queensland can feel confident that it would be far more likely that a conservative government in this state would offer up Queensland Rail and fail to protect its workers.

Ms Struthers: And QBuild.

Ms NOLAN: And QBuild. I think the answer on this is cut and dried. As we have said here, we will take responsible economic decisions to deal with these difficult times. As I have said now, Queensland Rail is not for sale. I cannot be any clearer about that. It is this opposition that is all over the place on economic matters. It is this opposition that is proposing to decrease taxes, to cut jobs, to maintain a surplus somehow, and to both cut and bring back the building program. It is this opposition that has no clue on economic matters. The government has said two things: we will take responsible economic decisions and we will maintain our building program, and I make it very clear that Queensland Rail is not for sale.

National Broadband Network

Ms STONE: My question is to the Minister for Public Works and Information and Communications Technology. I note that the Premier recently announced the government would bid to have the national headquarters of the new NBN company located in Queensland. Can the minister please advise what steps the department has taken to support this bid?

Mr SCHWARTEN: I thank the honourable member for her interest in this matter. I was only talking to her yesterday about broadband and how it would impact on her electorate. She has a great interest in the issue of broadband because she sees it as a key of equalisation into the future—unlike those opposite, particularly the member for Condamine, who thinks broadband is something that goes around an akubra hat.

The reality is that the broadband rollout in this country is something for which the Rudd government should be justly proud and history will record well. Just as previous governments invested in rail structure for communication, this is the equivalent of that for the 21st century. I congratulate the Premier on getting on the bandwagon first, on leading the way and saying that we want the NBN headquarters here in Queensland.

There is so much that we have going for us here in Queensland. We have had success previously in bringing headquarters here, unlike those opposite, who never had the capacity to bring major headquarters here such as Virgin, Boeing and other companies. I hear them deriding the fact that we brought Virgin, Boeing, Qantas and other headquarters into Queensland. The reality is that having NBN headquarters here in Queensland, the latest company in broadband in Australia—a \$42 billion investment by the federal government—is crucial to us.

What have we got going for us? For a start, there are a number of technology parks in Queensland that could put their hand up for it. Already we have had meetings with a number of places in Queensland that want to put their hand up to host these headquarters, places like Springfield, Technology Park at Eight Mile Plains and the list goes on. There is no shortage of proper places. This is the fastest growing region in Australia at the moment. As a result of that, we believe we have the goods. Notwithstanding the spend that the Queensland government is putting into Queensland, the investment we have made in the last five years is contributing to that.

The moment the Premier made this announcement we put together in public works a team of people and created a national broadband office so that we can do what has to be done to make sure that Queensland is well placed and has the best bid possible.

I note the silence from the other side, and I note their jeering before. I take that to mean that they do not support bringing the NBN headquarters to Queensland. The reality is that we will pursue jobs in the technology revolution that broadband offers us with the greatest speed that we possibly can.

Emergencies, Communication Strategies

Mr MALONE: My question is to the Minister for Corrective Services and Emergency Services. What has been done to enhance the ability of emergency services to communicate important safety messages in response to lessons learned from such events as the Victorian bushfire tragedy and Cyclone Larry?

Mr ROBERTS: I thank the member for the question. The results of the coronial inquiry into the Victorian bushfires I think will provide us with significant advice and guidance as to how we can better respond in times of emergency. The member and other members of the House may be aware of the issue of other forms of messaging, whether it be through the telephone system or the mobile network. That is something which is now being actively pursued at the national level through COAG. I am very hopeful that some form of agreement will be reached on that issue very shortly.

I think it is important to note that the main system for advising people of emergency situations throughout the state is through our radio network and television network. That is our primary source of advice. Any system that we put in place will be one which supplements the already very useful and effective method of providing advice to people about emergencies.

In terms of the cyclone warning system, there are very clear protocols in place with networks such as the ABC. We have now extended that to the private networks to ensure that appropriate messages about approaching disasters are given in a timely fashion. As the Premier has indicated, there are other technologies available. We are working with our counterparts in other states and with the Commonwealth to develop what we hope will be a system which supplements that.

The coronial inquiry in Victoria will bring with it many lessons. That was a terrible tragedy. People have been discussing a range of issues including the prepare, stay and defend or go early policy, the nature of warnings that were given et cetera. I am hopeful that after that inquiry we will get some valuable lessons that we can use in the Queensland context.

I would point out, however, that particularly in relation to bushfires we do have an entirely different set of circumstances here in Queensland than exist in places like Victoria. That is not to say that we do not face significant risk from bushfires and that we do not need to ensure that we have appropriate warning systems. There are some communities—for example, the Mount Nebo community—that have developed localised solutions which involve sirens at the top of the mountain and warning signs at the roadways leading into the area. There are particular solutions that would be useful in certain circumstances.

So in answer to the member's question, we will be looking at all forms of advice, particularly arising out of the Victorian bushfires. I am confident that from that exercise we can only enhance the already existing very effective warning systems that we have in place.

Road Safety

Ms O'NEILL: My question without notice is to the Minister for Police, Corrective Services and Emergency Services. I note the recent comments by the Leader of the Opposition about fixed speed cameras. What is the Bligh government doing to save lives on our roads?

Mr ROBERTS: I thank the member for the question. I am a little disappointed in the comments that were attributed to the Leader of the Opposition on ABC Radio recently regarding the government's announcement about six new fixed speed cameras sites across South-East Queensland. The member is reported as saying words to the effect that the fixed speed cameras are a waste of time and are basically there to raise revenue. That is something which I disagree with absolutely.

I know that the member for Gregory actually supports fixed camera sites. Maybe this is just one more example of a party room split between the Liberal Party and the National Party that we need to keep an eye on.

Mr Johnson: We've only got one party over here—LNP, mate.

Mr ROBERTS: Some 10,000 National Party members joined with 3,000 Liberal Party members. I think it is pretty clear from the numbers that it is the National Party.

Honourable members interjected.

Mr SPEAKER: Order! Resume your seat and we will wait for them to come to order. I call the minister.

Mr ROBERTS: I might just detail some of the crash history of the two Gold Coast sites that have been chosen. One of the sites is the Gold Coast Highway at Labrador. Over a period of a few years, there were 35 crashes of which 30 required occupants to be hospitalised. On the Gold Coast Highway at Broadbeach there have been 25 crashes. One crash resulted in a fatality and 19 occupants had to be hospitalised.

One of the key criteria for determining the fixed speed camera sites was the number of incidents involving speed. I know that there has been some debate and commentary in the media and amongst members about those sites. But that was one of the key determinants in choosing the most appropriate sites for the fixed speed cameras.

In terms of the road toll, one of the greatest challenges we face is securing behavioural and attitudinal change in motorists. In my view, there is simply a culture of speeding throughout Queensland which we need to address through a range of measures. Having proactive policing strategies on the road is one way of doing this. We have increased the number of traffic police. There is a commitment to an additional 106 police over the next two years. Some 53 police will be rolled out in the next few weeks.

We need to have other proactive enforcement measures such as fixed speed cameras and mobile speed cameras to reinforce the message time and time again that it is unacceptable to drive dangerously or speed on our roads. It is leading to too many incidents. As of today, 142 Queenslanders have lost their lives on our roads.

(Time expired)

State Schools, Maintenance

Mrs PRATT: My question is to the Minister for Education. I have been informed that local contractors in my electorate have been unable to tender for work being conducted at schools under the federal government's stimulus package because the work is being given to QBuild. Is this government policy and could the government advise us how the local economy will be stimulated simply by handing the stimulus funding from one government department to another?

Mr WILSON: I thank the honourable member for the question. The answer is no. But what I can tell the member is that the Building the Education Revolution is an unprecedented investment by the Rudd Labor government federally into building the future of Queensland students and students across Australia generally. It was opposed by the Tories in the Senate and opposed by them here.

What is available to Queensland is \$2.6 billion in three funding packages. Part of one was announced recently, and I made mention of it in a ministerial statement this morning. This \$2.6 billion will be spent on all schools—government, independent and Catholic—throughout Queensland over the next 12 months for good educational outcomes and to stimulate the economy. The government federally and at the Queensland level is wanting to stimulate the regional and local economies.

QBuild is not involved in delivering any building work in that process. It is not involved. What is happening is that through the Department of Public Works and my department contracts are being let for work for each of the rounds of funding that is announced for each of the schools across the 1,251 state schools and around about 600 non-state schools. Those funding programs are being rolled out. There is a list of prequalified contractors who have gone through the filter, so to speak, of appropriate building standards and qualifications. They have been identified previously for other purposes.

Those buildings contractors are able to tender for the work on a package basis. That can include builders in Nanango or builders in other regional centres near Nanango that can provide value for money that is going to be spent refurbishing libraries and undertaking a range of maintenance work. Each school gets up to \$200,000 under the National School Pride Program. When it comes to the school hall, for example, they may get up to \$2 million. It is allocated on the basis of student population. There are major building works able to be undertaken. They are not going to be undertaken by QBuild. The thing to remember and never forget is that the members opposite here opposed this, as did their colleagues in the federal Senate.

Public Transport

Mr WENDT: My question is to the Minister for Transport. Could the minister please outline how local councils can contribute and work with the state government to benefit local public transport services?

Ms NOLAN: I can. This is a terrific question. The Bligh Labor government is making a huge and unprecedented investment in public transport. We roll out one new train onto the Citytrain network every month. In doing so, we support nearly 500 jobs in Queensland. At the same time we are building eight kilometres of new busway and 14.3 kilometres of new railway, creating just now 18,400 local jobs.

Every year the state government puts over \$1 billion into train, bus and ferry services across the region and at the same time we collect only about \$275 million in fares. That means that, every time a commuter catches a train or a bus or a ferry in South-East Queensland, for every \$1 they pay in fares the state government pays \$3 or \$4. Despite what a lot of people think, the state government is far and away a big funder of public transport services, including Brisbane Transport buses. This year alone we will invest \$74 million to run the Brisbane Transport buses, approximately 40 per cent of the total cost. Brisbane City Council will put in \$47 million, which is 25 per cent of the cost, and of course that is very much welcomed.

Some other councils also contribute to public bus services. The Gold Coast collects a transport levy of \$79 per ratepayer and will put \$120 million into the Gold Coast Rapid Transit system. The Sunshine Coast has just announced a public transport levy. It will be about \$20 per ratepayer and will collect about \$3 million to invest in better public transport, and I also very much welcome the Sunshine Coast stepping up to the plate in this regard. But the fact remains that many local governments do not put a bean into public transport services in their area.

If the Brisbane contribution, which is about \$115 per ratepayer, was matched by Moreton Bay, there would be an extra \$16 million for buses in the Moreton Bay area. The same proportion would mean \$11 million for better bus services in Logan and would mean \$7 million for better bus services in Ipswich. In recent days the mayor of Ipswich has indicated that he is willing to work with the state on this issue, and I very much welcome his initiative. In these tough economic times, public transport is more important than ever and all levels of government need to step up and be a part of this game. I very genuinely call on Ipswich, Moreton, Redlands, Logan and the other local governments which currently do not put a cent into public transport services to work with us to contribute to this important field.

(Time expired)

North Queensland Floods, Recovery Assistance

Mr CRIPPS: My question without notice is to the Premier. When will the Premier actually respond to the local disaster recovery committee reports for the Ingham floods that the state government has had for a month?

Ms BLIGH: I thank the honourable member for the question. As members know, the electorate the member represents was affected by very severe flooding over a period of time—in fact, not one flood but two floods in a period of week. He and I inspected the floods on a number of occasions. What the member is referring to is a number of flood recovery reports that were done by the state government

in partnership with the local council. I spoke earlier in the week in this House about my opportunity to visit Ingham at the end of last week in the lead-up to the beginning of the Ingham Australian-Italian Festival, and I take the chance to say again that it is a great festival.

At that festival I met with representatives of Canegrowers who brought to my attention the urgency with which some of these issues had to be resolved in the lead-up to the crushing season this year. I undertook to the local Canegrowers representative that I would have someone call him that afternoon—that commitment was met—with a view to meeting as early as possible this week. That commitment was met when the mayor, the representatives of Canegrowers, the Minister for Primary Industries and Fisheries and Treasury representatives met with a delegation and undertook to get back to it as soon as possible when the issues the delegation put to government were in a position to be resolved. I do appreciate its impatience, but it would be very mischievous to say that government is not acting. These are very substantial investments in a number of cases, and making the right decision is important.

I was very pleased when I was in Ingham to announce that the Premier's relief fund for the floods in that area has now reached \$8 million. While they are two separate issues—and I appreciate that and I do not try to mix them up—it is, I think, a great testament to the warmth the rest of Australia and the people across Queensland feel towards people who went through what those in North Queensland and the north-west of our state went through. Recalling that Cyclone Larry generated donations of some \$22 million, I think an \$8 million fund in the circumstances is actually a very good outcome and I look forward to people seeing the first allocations made by the Red Cross out of that fund in the first half of June. So I repeat what was said on Tuesday to the delegation: we are working across government to do this with a sense of urgency, and as soon as we have final news they will be the first to know.

Autism

Mr FINN: My question without notice is to the Minister for Disability Services and Multicultural Affairs. Minister, I note that May is Autism Awareness Month, and I ask: what is the Bligh government doing to support children with autism? Does the minister have good news for Queensland?

Ms PALASZCZUK: I thank the member for the question. As members are probably aware, this month is Autism Awareness Month. Autism is widely recognised as a condition that presents significant challenges to people, especially children, who have this diagnosis. It is estimated that approximately five children out of every 1,000 have autism, and males are four times more likely to have this condition.

Every year in Queensland more than 350 children are diagnosed with autism. According to the AEIOU website, autism is a syndrome known by a characteristic set of impairments: (1), social interaction; (2), communication; and, (3), the capacity for imaginative thinking. Whilst we are not aware of the exact cause of autism, research shows that early intervention does make a difference. Early intervention gives a child with autism a greater chance to participate more effectively in their community. It has been stated—

Children who receive educational intervention before the age of four years have shown to significantly improve their chances of learning new skills and adapting to their environment when compared with children who begin intervention at a much later stage.

Researchers such as Smith, Clunies-Ross and Guralnick also clearly state that early intervention prevents declines in intellectual development. That is why yesterday in the House I announced a Townsville trial where we will employ a specific child connect officer who will visit child-care centres and kindergartens and who can be available to help families with this early diagnosis of autism, before the child actually goes into the school environment. That is why that is one of my key priorities for children with a disability.

The Bligh government has invested more than \$2 million into delivering six new early intervention centres for children with autism and their families. To mark Autism Awareness Month, I had the pleasure of visiting the Autism Early Intervention Outcomes Unit centre at Moorooka with the member for Yeerongpilly and with Dr James Morton, the founder of AEIOU. The member for Yeerongpilly and I observed firsthand how the efforts of these specialist staff are making a real difference to the lives of these young children who present with very high needs. Some of these children whom we observed were non-verbal, while other children did not have the capacity to sit, listen or play.

During this visit I discussed with Dr James Morton the issues faced by those families living in rural and remote areas and together we are working on a plan to provide specialised therapy outreach to those children with autism who live outside Toowoomba. We are also discussing the possibility of utilising these specialised therapies staff with the Cerebral Palsy League. This is a clear demonstration of how more than one specialist disability service can work with the Bligh government to deliver better outcomes for families and children with a disability. This is indeed good news for Queensland.

Mr SPEAKER: I recognise the expression! The honourable member for Beaudesert.

State Emergency Service

Mr McLINDON: My question without notice is directed to the Minister for Police, Corrective Services and Emergency Services. Is the minister aware that the level of funding given annually to the Scenic Rim State Emergency Service is equivalent to a one-hour public relations helicopter flight by the Premier? Can the government commit to increasing the currently disproportionate funding levels the SES is receiving?

Mr ROBERTS: The SES has a cooperative relationship and arrangement which is supported financially and in kind by both the state government and indeed all councils across Queensland. The state government has increased significantly the funding available to the SES across the state in recent years. Indeed, in cooperation with local councils, the resources available to the SES have enabled it to respond very appropriately and admirably to a number of incidents and severe weather events across the state.

I do not have the particular circumstances applying to the Scenic Rim SES, but I can assure the member that in the last election campaign the state government recognised the very valuable service that the SES provides to the people of Queensland by making an announcement of significant additional funding. Indeed, that funding will provide for the provision of an additional 93 vehicles for SES units across the state. That is in addition to vehicles that are already provided with funding grants that come from the state government and also through local councils. From my recollection, we have provided funding for an additional 19 flood boats—again in addition to the quite significant amount of money that we provide for general support for those services.

Across Queensland, we have 6,300-odd active members of the SES and 1,400-odd reserve members. We provide all of those people with their uniforms and all the equipment they require to undertake the great work they do in the community. We provide them with significant levels of funding to provide them with training.

While I am on my feet, rather than attacking the SES, which the opposition seems to take a great deal of delight in doing, in terms of the work that they do I take the opportunity to again to place on record my thanks to the many thousands of SES workers across the state and all of those people in the community who support them and again note that the state government provides very significant support to the work that they do in the community. In the last state election campaign a significant, multimillion dollar commitment was given over this term to provide a significant injection and increase in the resources available to them.

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

TELECOMMUNICATIONS INTERCEPTION BILL

Second Reading

Resumed from p. 485, on motion of Ms Bligh—

That the bill be now read a second time.

Mrs CUNNINGHAM (Gladstone—Ind) (12.31 pm): I rise to complete my contribution to the debate on the Telecommunications Interception Bill and again wish to say that, whilst I can recognise that it will be an important tool for police, it is also an intrusive measure. Yesterday the member for Toowoomba North pointed out that people who express concern about the implementation of this bill, or who have supported the necessary delay in implementing the legislation because of concerns about ensuring that oversight was appropriate, also recognise the frailty of human nature.

I believe the member for Toowoomba North was pointing out that, in all walks of life, there are people who have a greater or lesser degree of control over their own decision-making processes and also those who are more easily influenced in terms of doing the wrong thing. That also applies to members of the Police Service. I think overwhelmingly in our electorates we would say that the police officers with whom we have to deal act honestly and with integrity. But as representatives of our communities and as people in this parliament who are implementing legislation that is intrusive, it is important that we ensure that for those officers—whether they are police officers, members of the CMC, or members of other instrumentalities who can access these intrusive powers—there are constraints and oversight to ensure that in regard to those people who do not exercise their powers appropriately there is an opportunity for that activity and those actions to be interrupted.

In this legislation, the PIM has been put in a role of supervision. I would like to see the PIM operate at the front end of the issue of the intercept permit and also at the back end of the withdrawal and the reporting on the information that is collected. I believe there is a lot of wisdom in having the same person involved in both the front and back end, because they are aware of the obligations and

commitments made on the application for the intercept warrant. Therefore, they would be better able to check that the constraints placed on the warrant, or the powers given in the warrant, were adequately and properly adhered to.

This legislation will be passed by this chamber. There is overwhelming support for it. But, again, I say that I share the concerns of some in the community—some very honest and responsible people in the community—that this legislation will interfere with people's rights and liberties. It is covertly operated, as is the video surveillance. It is an important tool in crime fighting, but it is no less an intrusive power and, on that basis, should be dealt with sensitively.

Mrs PRATT (Nanango—Ind) (12.35 pm): I rise to speak to the Telecommunications Interception Bill 2009. I note that the policy objective of the bill is to enable the Queensland Police Service and the Crime and Misconduct Commission to apply for telecommunications interception warrants under the Commonwealth Telecommunications (Interception and Access) Act 1979 for the investigation of serious offences and to do so in a manner that provides a role for Queensland's Public Interest Monitor prior to, and at hearings of, applications for interception warrants, to represent the public interest and test the validity of applications.

I must admit that, overall, I am in favour of the police having the ability to intercept telecommunications, because I believe that currently the police are so far behind the eight ball with their technology and one thing and another that criminals have a very distinct advantage. We have only to recall the debate that we had last night on drug use. We know that there is organised crime in relation to the supply of drugs and that there are many other forms of organised crime. At times, it is very difficult and very costly for police to hold stake-outs and conduct other forms of surveillance. It is my understanding that this legislation seems to have come about not just because of drugs and crime but because of bikie gangs and the issues that have arisen around bikie gangs. We know some bikie gangs are involved in drugs and some are involved in other crimes.

At this point I would like to put on the record that in the Nanango electorate we have a very active Ulysses bike group. They are a wonderful group of people. They do a lot for our community. I get to go riding with them at least once a year—and that is not enough, because I love bikes. In saying that, I would just like to put it on the record that they are a wonderful group of people. I am pretty sure there are a lot of good bikies out there.

I also note that over the past 11 years there has been a lot of discussion and debate about whether police should have the right to tap phones et cetera. Over the past few hours of the debate on this bill we have heard how the National Party claims this bill is one of its own. I have to say that I think that is probably a justifiable claim, because those members have been pushing for this type of bill to be introduced and for police to have this type of power. I also have to admit that, when they have done so, the Labor government has always come up with numerous reasons as to why it should be allowed to oppose such a bill. At the time the Labor government did that it obviously believed that it had justifiable reasons for so doing.

We know that this bill, in the form in which it has been introduced, will be passed today, and it will be passed very easily. As I said, I am not opposed to telecommunications tapping of criminals, because their finances outweigh those of the Police Service. I think it is time we put the balance back into the hands of the police. We must recognise that criminals do not have any code of conduct. They have no obligation to consider other people's right to privacy, but they scream blue murder if there is any infringement of their own. Police are not so lucky. They are constrained by a code of conduct. Every man, woman and child knows that they have rights. They are very aware of their civil liberties and they do not like them to be infringed and, if at all possible, they should not be.

I do have concerns, as I said, about this particular bill. I cannot imagine that criminals talk about their business to anyone other than other criminals who are involved in a particular act at a particular time. There would be many friends and relatives of criminals who would visit or be innocently involved in some way with the wife or the husband or the kids—it could even be teachers visiting the home on behalf of the children or whatever the case may be. I find it a little bit offensive that those people perhaps could have their communications logged and recorded. I have to ask the question: how long after these recordings are made will those tapes be erased? Is there a definitive period? Would it be possible for the Public Interest Monitor to say during the investigation, 'That was a totally uncalled for recording and therefore it should be destroyed ASAP'? What proof would there be that the recording was in fact destroyed?

I also have concerns with regard to the abuse of power. I know everyone stands in this chamber and says what wonderful police we have, and we do. A lot of people put themselves on the line and that has to be acknowledged. However, it has to also be recognised that there are police who, at times, overstep the mark. They can be rude and they can be very offensive. I can tell members about one instance when I was in a vehicle travelling as a passenger. I am not sure why this policewoman felt the way she did. She seemed to take immediate offence to the appearance of the driver and her attitude displayed it; she was very rude. When the driver actually asked what was her title or number, she said,

'You have no need to know that.' He said, 'You are being really offensive and that lady in the back is the local member.' It was quite amazing how quickly her attitude changed when she realised it was me in the back seat. Having been a witness to it, I know it happens. It is a very rare instance but it happens. Therefore it could happen in this situation that a police officer involved in these telecommunications interceptions could overstep the mark.

I believe it really does need to be monitored and monitored very carefully. I am very interested in the involvement of the Public Interest Monitor to see, as the member for Cunningham said, whether that person can be brought in at the beginning and the end to ensure all the strings are tied up very neatly and that anything that needs to be destroyed is destroyed. They should sign off on the whole deal.

We do have to be careful when bringing in bills like this. It could be an invasion of a person's privacy and civil liberties. We have to ensure that the innocents' rights to privacy are not abused, and I can see that possibility exists. I am not really comfortable with this bill, but I do believe the police need to get the balance of power swinging in their direction.

Mr FOLEY (Maryborough—Ind) (12.43 pm): I want to start my contribution on this bill by trying to gazump the member for Nanango by saying that I am actually a member of the Ulysses motorcycle group and I am happy to take the member for Nanango for a ride on my Harley any time. I want to put that on the public record. It is important to note that there are plenty of old fossils like me who actually like going for a ride on the Harley. I am not what they call a 'born again' biker. I have been riding motorcycles since I was about 13, although not always on the road.

Turning to this bill, Queensland is the only state not to have telephone interception powers, and that is a shame. Clearly, the reason it is called organised crime is because that is exactly what criminals are: they are very well organised. The last thing the police need is to be hobbled by technological disadvantage and have their efforts at crime reduction and policing hampered by a lack of technology that is available to all of the other states. That is incredible especially when we consider the amount of international intelligence that is shared between law enforcement agencies world-wide such as the FBI, which is charged with looking after domestic US issues, the CIA for America's broad covert operations, Scotland Yard and, in Australia, ASIS and ASIO. They all share intelligence. To say that that is a good idea but then not to have that information shared between all states in Australia is just simply crazy.

Members of organised crime would have absolutely no hesitation whatsoever using any technology available to them to further their particular criminal enterprise. The criminals are getting smarter. As smart as they get and the more technology they adopt, the more police need to stay many steps ahead of them. It is essential that that flow of intelligence is shared across all mainland states. If that can be done without fiddling around at a federal level and sharing intelligence, but rather Queensland can simply add to that database of intelligence, then I am very supportive of this. Obviously there are checks and balances and there are all sorts of issues such as the concept of Big Brother, the abuse of civil liberties and all of those sorts of things. It has been said by many speakers in the House that no government agency would ever claim to be completely free of corruption; these things happen. I think the Public Interest Monitor serves this legislation rather well. Our own tactical crime squad in Maryborough does an absolutely fantastic job of being proactive in policing and keeping an eye on some of the things that are going on around the place in terms of criminal activity.

I note that the telecommunications interception warrant, which is essentially the allowance of the particular activity to take place, can be granted in relation to specific crimes under section 5D of the T(I&A) Act. It includes a full list but I will briefly touch on some of the crimes. They include murder, kidnapping and similar offences; serious drug and import and export offences; acts of terrorism; and child pornography—and I personally think that is the most hideous of all crimes because of its ongoing effects on the lives of innocent children. There are also a number of offences, and other speakers have given some examples of those such as the guy who tried to plot to drown his wife on the coast. There have been all sorts of other things. I have some sympathy with the opposition and I wonder myself, if this had been brought in 10 years ago, how many other serious crimes may have been averted and how that intelligence could have been used to filter through to the shared system, both nationally and internationally, to stymie the efforts of these criminals.

There are plenty of other specified offences such as planning and organising, theft, handling stolen goods, bribery or corruption of government officers, tax evasion and so forth which are punishable by at least seven years in prison, not to mention the time immemorial money laundering offences, telecommunications offences and also cybercrime, which is becoming much more of an issue in our society. I believe the warrant powers are sufficiently wide enough to allow most crimes to be covered by these types of warrants. It is not as if a constable at the local police station jumps up one day and says, 'We are going to do some telephone intercepting.' Agencies such as the Australian Federal Police, the Australian Commission for Law Enforcement Integrity and the Australian Crime Commission and, in Queensland, the Police Service and the CMC are eligible authorities. I note that for an authority to be declared by the Commonwealth Attorney-General the relevant state Premier must request such a

declaration to be made. I believe that there are sufficient checks and balances. That great three-letter acronym PIM, or Public Interest Monitor, has been mentioned very significantly in this chamber in relation to this particular bill.

The Public Interest Monitor is not a new thing, of course. It was established in 1997 as an independent statutory office holder by the then coalition government under the PPR Act to, among other things, appear at hearings of applications for various surveillance warrants in order to represent the public interest. Section 742 of the PPR Act sets out the PIM's functions. If people are listening to this particular debate online and would like to go online and check some of those things out for themselves, they are very welcome to do that. That is one of the great things about our parliament being beamed live to the internet.

I think on balance this is a tremendous piece of innovation which should have been done long, long ago. I really welcome that this legislation is going to enhance the ability for police to catch crims who have absolutely no respect whatsoever for other people's civil liberties and will use any slight advantage, technical or otherwise, to maim, kill and hurt people in other jurisdictions. I commend this bill to the House. I think it is well overdue.

Mr FINN (Yeerongpilly—ALP) (12.50 pm): I rise to support the Telecommunications Interception Bill and the introduction of these powers to crime fighting in Queensland. It is true that I have not come to the position of supporting telephone interception powers readily. Consideration of powers to intercept private communications, enabling personal conversations to be listened to without the knowledge of participants, must be undertaken with caution.

In recent times governments' legislative responses to criminal activity or acts of terrorism have diminished the rights and freedoms of law-abiding members of the community. Powers have been provided to law enforcement agencies that can result in serious breaches of privacy of innocent people and also permit the gathering of data peripheral to criminal investigations. This data can ultimately find its way into the public arena, undermining the right of innocence till proven guilty, and no amount of protestation from law and order can-rattlers or law enforcement agencies can take away the potential for this misuse.

An example of my concern regarding telephone interception can be considered in light of an investigation of a particular person that involves all of the telephone communications of that person's family being listened to and recorded. This could include conversations of a spouse or children of the targeted person who are not involved in the activity being investigated. There is enormous potential for this information to be used to manipulate innocent family members and to exploit private information to divide families in the desperate search for witnesses and evidence. We must consider both rights and the social cost of potential misuse of data-gathering powers. Whilst we must be tough on crime and adequately empower crime-fighting agencies, there must also be checks and balances and legislative measures that scrutinise the use of these powers before they are applied.

As a member of the Parliamentary Crime and Misconduct Committee in the previous government, I had the opportunity to research telecommunication interception powers and their use in other states. I acknowledge that the ability to gather this information has been a very effective tool in tackling criminal activity, particularly in investigating complex and organised criminal matters. The annual report of the Commonwealth Attorney-General for 2007-08 bears this out, with 2,542 convictions following implementation of telecommunication interception warrants, with the vast majority of these relating to serious drug offences and organised crime. Notwithstanding this, I have not been prepared to support previous bills before the House that have given unfettered powers to intercept communications. They lacked balance and essential protections with subsequent potential to undermine the rights and freedoms of Queenslanders.

Many members in this debate have spoken about the Public Interest Monitor and its involvement. I do not intend to go over that. I note the contributions of the members for Everton, Waterford and particularly Barron River in relation to the PIM. It has been clearly established that the attempts by the state government to have the PIM included in interception powers was denied by the Howard Liberal national government. I am not surprised by that. This was a government whose record on anti-terrorism included public persecution of an innocent doctor, and the ultimate deportation of that person, on the basis that he had given away a SIM card, and the terrorism rhetoric used against people risking their lives to flee persecution in their home countries is well established. I am pleased that the Rudd government has brought some balance back to the undermining of rights and freedoms that was prevalent throughout the Howard years.

The important thing about the PIM is its application at the front end. This legislation requires the police and the CMC to consult with the PIM before making application. It entitles the PIM to make submissions. It requires the police and the CMC to disclose to the PIM relevant matters, both favourable and adverse to the issuing of a warrant. It enables the PIM to report to the state minister about noncompliance. The PIM is involved at the front end, and it is the front end that is important in the evaluation of applications to use interception.

I want to comment briefly on some of the contributions by the opposition on this bill, because I found this debate to be a bit all over the place. Whilst I could talk at length about the number of times we have seen law and order can-rattling and the opportunity to talk about specific instances of crime, we have seen this Jekyll-and-Hyde view about the PIM. We have heard an argument that says, 'We created it so it was our idea.' We have heard arguments that say, 'We created it. It was our idea but it will have no effect,' and, 'We created it. It was our idea but all it will do is add red tape,' and, 'We created it. It was our idea but other states don't have it so why should we?' These are the arguments we have heard from members of the opposition.

The member for Mudgeeraba talked about the opposition actually supporting the PIM in its previous approaches on this issue but talked about the PIM being at the back end, and I have already addressed my concerns about that. They cannot have it both ways. We cannot say that it adds bureaucracy and therefore we should not have it. Protection of rights involves having an application process, arguing your case and having scrutiny of that process. There are administrative processes involved in that. It is no argument that because other states do not protect rights and freedoms we should not.

The most concerning contribution was from the member for Burnett, who said that this was a Labor PIM and that our activities in this regard would make Robert Mugabe blush.

Mr Wallace: Disgraceful.

Mr FINN: It was disgraceful. The member for Burnett should be reminded of this quote by Robert Mugabe about Hitler. He said—

This Hitler had only one objective: justice for his people, sovereignty for his people, recognition of the independence of his people and their rights over their resources ... If that is Hitler, then let me be a Hitler tenfold.

That is the Robert Mugabe to which the member for Burnett equates law enforcement in this state. I do not need to go on about all of the atrocities of Mugabe, who *PARADE* magazine awarded as the 2009 world dictator of the year, other than to say that Robert Mugabe allegedly murdered the wife of a political opponent by burning her alive with a petrol bomb after severing her hands and feet. For the member for Burnett to equate law enforcement and the actions of this government with Mugabe is disgraceful and has no place in this House.

There is no way of absolutely guaranteeing that material gathered through legislative powers that undermine privacy rights will not be misused. As representatives of the people of Queensland, we are entrusted with protecting people's rights and freedoms. We must remain vigilant in that duty. We must ensure the PIM can operate effectively. We must regularly review its operations and the success of its operations.

In addition to this, the current human rights landscape across the globe demands a focus by law-makers on protecting rights and freedoms. The shock of terrorist attacks over the last decade has led to governments legislating away rights and freedoms and a corresponding diminishing community vigilance in protecting these rights. This is the inevitability of fear and marginalisation.

On a lesser scale, here in Australia—as we grapple with the new centralism, the development of unitary systems, the increased use of coercive powers and the national harmonisation of powers relating to law enforcement—we continue to increase the power of central government over the individual and the community. The role of the PIM in this legislation sets a framework that enables a body charged with protecting public interest to be at the front line on decisions affecting rights and freedoms of Queenslanders. I commend the bill to the House.

Sitting suspended from 1.00 pm to 2.30 pm.

Hon. CR DICK (Greenslopes—ALP) (Attorney-General and Minister for Industrial Relations) (2.30 pm), in reply: At the outset, I wish to thank all honourable members for their contributions to the debate on the Telecommunications Interception Bill. In particular, I would like to thank my colleagues on the government side of the House for their thoughtful and reflective comments on the legislation. I would also like to thank the member for Gregory for his kind and generous words on my appointment as the Attorney-General and Minister for Industrial Relations. The office of Attorney-General is one of the four high offices of state that have continued uninterrupted in Queensland since statehood in 1859, and it is an office that I am extraordinarily honoured and greatly privileged to hold.

The bill sees an end to five years of lobbying, advocacy and persistence by this and previous Labor governments to seek the Commonwealth government's recognition of the important role of the Public Interest Monitor in Queensland. It establishes the requisite recording, reporting and inspection regime required under the Commonwealth Telecommunications (Interception and Access) Act to enable the Queensland Police Service and the Crime and Misconduct Commission to apply for telecommunications interception warrants. As members have heard during the debate, the bill increases the tools available to officers investigating serious crimes, such as drug trafficking, criminal paedophile networks, organised crime, serious premeditated violent crimes and corruption.

Importantly, the bill recognises the intrusive nature of telecommunications interception. Before applying to the court for a telecommunications interception warrant, the investigating officer must advise the PIM of the application and provide all relevant material to the PIM. The PIM may appear before the court at the warrant application and may make submissions to the court.

I will now address some of the matters raised by honourable members during the debate. The current Leader of the Opposition made some entirely incorrect comments that the Bligh government was keeping these powers from the police. In nearly the same breath, he expressed support for the role of the Public Interest Monitor. He wanted to support the front-end and back-end protections. As with the debate on Tuesday about the new parliamentary committee system, he wants to, as one honourable member described it during that debate, walk both sides of the street, forwards and backwards at the same time. As usual, the opposition cannot decide whether they are coming or going on the issue.

The Leader of the Opposition said that these powers have only been held up by 'some argument between Queensland and Canberra over which was the better approach'. I think he called it a squabble at one stage. Let all members be very clear: when the Leader of the Opposition says 'some argument', he means this: should we have checks and balances that lead the nation, or should we not? His Canberra coalition colleagues said, 'No, Queensland should not be able to institute these safeguards,' yet here is the Leader of the Opposition stating that the PIM is an important part of the architecture of the protection of rights and liberties in Queensland. If LNP members were consistent with their Canberra colleagues they would oppose this bill, but they do not. If they wanted the PIM involved they would have included it in their previous bill, but they did not. If LNP members want to be relevant, it appears they have a long way to go.

The members for Moggill and Mermaid Beach both claimed that the government was 'hiding behind the PIM'. The member for Southern Downs, the Deputy Leader of the Opposition, went so far as to call the PIM a 'trick', while the member for Mudgeeraba called the PIM an unnecessary layer of 'bureaucratic red tape'. Then the member for Warrego topped it off by saying the PIM was a 'flimsy excuse' and that it 'won't make a damn'—excuse my language, Mr Deputy Speaker—'bit of difference whether the PIM is there or not'. LNP members may claim to be the parents of the PIM, but they are abandoning parentage in this debate. If the PIM is an orphan, I can assure all honourable members that the ALP is happy to support the PIM and take up that parentage. They have hastily abandoned the PIM for reasons they cannot explain in a debate they do not understand.

On the importance of the role of the PIM, and at the risk of censure from my own party, I will quote from the explanatory notes of the 1997 bill introduced by Russell Cooper, who, as all members know, is a former National Party member of this House, a former Leader of the Opposition and a former Premier of this state. What did Mr Cooper say? He said—

The authority to install a listening or visual surveillance device for the investigation of serious indictable offences, or the conduct of a covert search of a place for evidence relating to organised crime, are extraordinary but necessary powers. As the level of intrusiveness may be extensive, the community expects respective safeguards also to be extensive to ensure the proper use of such powers. The Bill introduces the new concept of a public interest monitor. The monitor will perform an independent role ...

But their own words, their own history and their own legislation are obviously not good enough for the opposition today.

The member for Warrego questioned the very utility of the PIM. The lack of opposition to warrants is not indicative of the Public Interest Monitor failing to play a significant role in testing warrant applications. Rather, it may demonstrate the importance of the PIM. The fact that the PIM must be consulted will help ensure that applications are well prepared and that proper consideration is given as to whether covert action is in fact necessary.

To date, the courts have refused each of the covert investigation warrants that the Public Interest Monitor has opposed, and that was alluded to and commented upon by some members in this House. Therefore, the Public Interest Monitor has an important role in ensuring covert investigative techniques are used appropriately. This debate is not about whether the police should have these powers; we all agree they should. The core of the debate is the vital question of getting the balance right.

It was the former Howard government which adopted a philosophical opposition to checks and balances of this type. Why was that? It was pride. It was the pride of the former Liberal Prime Minister, John Howard, and the pride of the former Liberal Attorney-General, Philip Ruddock, who stubbornly and, as some members have commented, unreasonably and unnecessarily opposed this application by the state for inclusion.

It was, however, the Fitzgerald report, necessary after years of National Party corruption and maladministration in this state, that formed the genesis of the PIM as part of a package of reforms focused on reforming police powers and ensuring that appropriate safeguards exist upon their operation. The reason the opposition has not been successful in pushing its bills on this issue is that it was not willing to allow the public interest to be represented in telecommunications interception applications and hearings—plain and simple. There is no dark conspiracy against the ill-considered ideas of the deposed leader of the opposition, now the deputy leader; just a simple desire on the part of

the members on this side of the parliament to protect Queenslanders from the potential for the excessive use of police powers, to ensure we have a system of justice that balances the interests of operational policing with the liberties and rights of individuals. This is not to frustrate our police but rather to ensure that both law enforcement agencies and the community have the full and robust protections they both need and deserve.

Telecommunications interception, as I have said, is extremely intrusive on an individual's privacy. The technology allows investigative officers to listen to phone conversations, including conversations that are private and unrelated to any possible criminal activity. This investigative tool is used without the knowledge of the targeted person or people with whom they are likely to be speaking.

The government is concerned to ensure that the Public Interest Monitor is involved in testing the validity of telecommunications warrant applications. This is consistent with the Public Interest Monitor's role in testing the validity of applications for other covert warrant applications. The Queensland government had lobbied for years to obtain approval from the Commonwealth to have amendments made to the Commonwealth Telecommunications (Interceptions and Access) Act to allow the involvement of the Public Interest Monitor. Since receiving notification from Prime Minister Rudd in August 2008 that the Commonwealth would amend its legislation, this government has acted quickly to introduce these bills.

I took time to search the Commonwealth parliamentary *Hansard* record in respect of parliamentary debates about the Commonwealth legislation that authorises the introduction of a Public Interest Monitor. I am happy to be corrected if I am incorrect, but I could not find one Liberal or National member of the House of Representatives or the Senate who was willing to speak on the Commonwealth bill let alone speak against the introduction of the PIM. No-one in the Commonwealth parliament who claims to represent the Liberal and National Party from Queensland spoke about the false and incorrect allegations and assertions made by the members opposite that the lack of these powers led to 'an increase in crime'—the allegations made by the opposition. The opposition has no influence on their Canberra colleagues. It has had no influence in the five years that we have been waiting for this measure to come forward and it has no influence today.

The Leader of the Opposition had the gall to suggest that organised crime had increased in Queensland because of this Labor government. This is like blaming the former Howard government for the rise in global terrorism, and fundamentally misunderstands crime, policing and the responsibility that the government owes to its people, which is not a surprise from the opposition.

The member for Mudgeeraba seemed confused as to the role of the PIM in Queensland, and her confusion was indicative of the lack of understanding by others on that side of the House. The member claimed that the PIM was unnecessary because the Ombudsman was used in other states and that that is sufficient. That of course completely misses the point that the role of the Ombudsman in other jurisdictions is at the back end of the process and is not involved in the application process itself. The PIM, on the other hand, has a completely different role at the front end—a role that the opposition is happy to include for surveillance warrants and covert search warrants, but for reasons which it is unable to articulate this is an identical role that it does not want here and, even worse, it does not seem to understand it. This has been and remains the fundamental flaw with the opposition's approach.

The member for Southern Downs, the Deputy Leader of the Opposition, claims that billions of dollars could be saved, lives protected and the problem of crime solved if this legislation had been passed. What was his proof? His proof was that these powers exist in New South Wales and other states, which is an interesting observation of fact but completely ignores the fact that organised criminal activity continues to be a significant problem in those jurisdictions. Where was the other evidence? Where was the data analysis? Where were the crime statistics? They are nowhere to be seen.

These TI laws are not the fix-all solution to every organised crime activity. They augment a suite of police powers that this and the previous government have introduced—powers to seize the proceeds of crime, powers to detect criminal activity and strong criminal penalties to deter criminals and protect our police and our citizens. The honourable Deputy Leader of the Opposition's suggestion that Labor has somehow failed the Queensland people is frankly offensive, naive, shamelessly self-aggrandising and is simply and fundamentally wrong.

I take up the comments made by the member for Gladstone in her sensible and reasoned speech on the bill. She made it clear that in joint operations with other law enforcement agencies the state has been using the evidence gained from telecommunications interceptions for years. These powers are important. They provide an important tool for police, and the government is adamant and always has been adamant about giving Queensland police access to them, but we would not do so without the checks and balances that are appropriate to such extraordinary and invasive powers. With that balance now achieved, the government has moved quickly to ensure that our police can continue to investigate criminal activity and protect our community.

I also want to comment on the other sensible speeches on the bill made by the Independents in this parliament and their sensible contributions, particularly by the members for Gladstone and Nanango. The member for Nanango asked what requirements there were on the destruction of restricted records. I advise the House that the bill specifically provides that, once an investigation or prosecution is completed that involved the use of telecommunications interception material, the restricted record—namely, the transcript and recording of the phone tap—must be destroyed immediately. It is important to note that, if the chief officer of an investigating agency determines that a restricted record is no longer required, the chief officer must notify the inspecting agency that the record will be destroyed. The record may not be destroyed until the inspecting entity has been given an opportunity to inspect it and the Commonwealth minister has inspected the register relating to the warrant under which the record was obtained. This provision is a requirement under the Commonwealth Telecommunications (Interceptions and Access) Act 1979. The provision provides for accountability and ensures that records are kept about the destruction of records obtained through telecommunications interception.

I want to make a few comments on the contribution—broadly described—made by the member for Burnett. The member for Burnett asserted that politicians would have access to the information contained in telephone intercept warrants. The details of a warrant are recorded by the CMC and the Queensland Police Service, and will also be known to the PIM and the judge making the order. No politician is involved in this part of the process. Each year the PIM and the Parliamentary Crime and Misconduct Commissioner will then provide reports of inspections of the applications made and warrants executed by their respective agencies, and a copy of these reports is provided to the minister. Where applications have been deficient or otherwise required remedial action, the report will contain details of the material deficiency and any remedial action taken. Technically, such reports may contain interception information, but such information will only be provided in the report to the extent that it shines light upon the nature of the noncompliance with the legislation.

To apply the opposition's reasoning, in respect of applications that are appropriate we all have nothing to fear. In all their dealings, the QPS, the CMC and their inspecting authorities must fundamentally adhere to the legislative prohibitions on the communication of interception warrant information. All reports given to the minister are for the purpose of forwarding them to the Commonwealth in accordance with the requirements of the Commonwealth act.

A further question was asked as to whether there were offence provisions for the release of information under the scheme. I can assure the House that there are offence provisions in the Queensland bill at clause 34 and that they mirror the Commonwealth offence provisions at section 175 of the Commonwealth act. A person releasing information gained pursuant to the act in both pieces of legislation may be punished by up to two years imprisonment.

A number of the members opposite, including the member for Burnett, wanted to make this a debate about police resourcing. With your indulgence, Mr Deputy Speaker, I would like to make some comments on that given the free-wheeling nature of the debate before the House and I will do it as quickly as possible. Increasing police numbers across Queensland continues to be a high priority for the Bligh government. The Bligh government has committed a minimum of 600 additional officers over the next three years and will continue to ensure that police strength reflects the needs of communities across Queensland, including on the Gold Coast. In the last four years, an additional 90 police officers have been allocated for the Gold Coast, with a total of 752 police now allocated to that district. Twelve additional new police recruits have recently arrived on the Gold Coast following induction ceremonies at the Oxley and Townsville police academies.

Over the last five years the net growth of police officers has been around 280 officers in each financial year. I am pleased to inform the House that, in the time the Labor government has been in power, police numbers have increased by over 3,300—from 6,800 officers in June 1998 to an estimated 10,157 officers as at 19 May 2009, an increase of 49 per cent over the period.

The saddest moment in the opposition's contribution to the bill was by the member for Burnett. His declaration was that the PIM was a 'Labor PIM'. As was noted by some members observing the debate, if only he had spoken with the member of parliament sitting next to him, the member for Toowoomba South, who quite rightly and appropriately set out the history of the PIM in his contribution on the debate, and I thank him for that. The PIM was introduced by the member for Burnett's own party. It was lauded by them and, most of all, it was brought in because his party was involved in the most grave betrayals of the trust and respect the Queensland people placed in their police and their elected officials during the 1970s and 1980s.

Another disappointing aspect of the member for Burnett's contribution was his entirely, what I would regard as, despicable rant against civil liberties. He described those who believe in civil liberties as a 'contemptuous breed of human'. I reject the member for Burnett's statement entirely. Every member of this House should have at the heart of what they do in this place concern for securing the safety and protecting the rights and liberties of Queenslanders.

In a state based on the concept of democratic freedoms and the principle of individual liberty, the 150th anniversary of which we celebrate this year, it staggers me to think that any member of this place would so blithely disregard the rights and liberties of Queenslanders and those who advocate for rights and liberties. This House is charged with serious responsibilities—to protect Queenslanders who may be unable to protect themselves. Doing that lies at the core of what we do.

It is the most vulnerable members of our community who are most exposed to abuses of power, who are at risk of marginalisation and who need the protection of each and every member of this place through every law we make. Strong policing may be the sword by which we strike at the heart of criminal activity, but civil liberties are a shield we owe to every Queenslander to ensure their rights, their livelihoods and their communities are protected.

The Scottish philosopher David Hume most tellingly said, 'It is seldom that any liberty is lost all at once.' What Hume meant is that it is an incremental process, giving away those things that we cherish inch by inch, act by act. Unless there is good and proper reason for such action, we must guard against that.

Those on this side of the House have been and always will be interested in engaging in the debate about police power and the rights and liberties of individuals—an argument that appears to be too deep and too complex for those opposite to engage in. This side of the House has held the straightforward view that, where police exercise extraordinary powers, these powers should be subjected to appropriate checks and balances, both at the front and back end of the exercise of those powers.

Some members of the LNP have been in agreement with this side of the House that matters of privacy are particularly important to the people of Queensland. More accurately, members of the former Liberal Party have been concerned about these important issues. Perhaps unsurprisingly, members of the National Party seem not to have the same level of concern. The members for Moggill, Mermaid Beach and Currumbin all noted that the issue of privacy for citizens of our state is important and needs to be considered. The member for Moggill went so far as to say, 'There is a legitimate argument in relation to protecting people if there is political or other misuse of such powers.' I could not agree more. Unfortunately, he seems unable to influence his leadership.

This is important legislation. It is important because it gives police powers they can use to assist criminal investigations. But more than that, it is important because it places appropriate checks and balances upon these powers in the interests of all Queenslanders. This debate strikes at the heart of what a responsible Queensland government and what a responsible parliament must do: strike a careful balance between important principles of state power, justice, safety and freedom. To do anything less would be to short-change the people of Queensland.

In conclusion, I again thank all honourable members for their contributions during the debate on this bill. I also thank the Prime Minister and those members of the Commonwealth parliament, in particular the Queensland members of the parliamentary Labor Party, for the courage that escaped their predecessors in government and allowed for the role of the PIM in Queensland.

I also want to thank a number of officers within the Public Service who have assisted in the preparation of the legislation—Mr David Thannhauser, Mr Phil Hall and Mr Tony Keyes from the Department of Premier and Cabinet; Jo Hughes and Andrew Gills from the Department of Justice and Attorney-General; Paxton Booth of the Queensland Police Service; Jan Speirs of the Crime and Misconduct Commission; and the staff of my office, in particular Mark Biddulph and Derran Moss. With those words I commend the bill to the House.

Question put—That the bill be now read a second time.

Motion agreed to.

Bill read a second time.

Consideration in Detail

Clauses 1 to 4, as read, agreed to.

Clause 5—

Mr SPRINGBORG (2.55 pm): I rise to speak in support of the objective of the bill as contained in clause 5 and to address some of the assertions which were made by the Attorney-General in his concluding comments. Members of this House and others should make absolutely no mistake that there is no opposition whatsoever on our side of parliament to providing police with telephone interception powers and the provisions contained in this bill. Fundamentally, our concern has been the delay in bringing this legislation before this parliament and its being passed by this parliament. The assertions which were made today that we had some particular concerns and opposition—

Mr Reeves: What does it have to do with the clause?

Mr SPRINGBORG: This has a lot to do with the clause.

Mr Reeves interjected.

Mr SPRINGBORG: We are talking about the main objectives achieved by establishing a recording, reporting and inspection regime required under the Commonwealth act and the mechanisms facilitated therein.

Government members interjected.

Mr DEPUTY SPEAKER (Mr Wendt): Order! Members on my right! The member for Southern Downs has the floor.

Mr SPRINGBORG: I note that the member for Mansfield aspires to the position of Deputy Speaker of this House. One would hope that if he achieves that he would do a damn sight better job than he does as a minister.

We have never objected in this place to Commonwealth amendments being made which would open the way to a PIM being included in the front end of the process. If one goes back and actually reads my contribution in summing up the bill the last time it was debated by this parliament one will find that I said to the then Premier that if that can be achieved then that would be good. It should never have been an excuse for this parliament delaying the enactment of legislation that is in line with that which has been enacted in other state jurisdictions, including in New South Wales since 1989 and South Australia since 1990.

We have always supported the use of the PIM. We have supported the use of the PIM where it could be incorporated in Queensland legislation. That would certainly be at the rear end of the process—that is, monitoring and making sure that there had not been an abuse of the process of granting a warrant—and at the front end, being the use of a suitably qualified judicial officer to make sure there was legitimacy in granting the warrant. We always felt that there was a need to include those protections as much as the law would facilitate. I think it was very necessary for the record to be corrected along those lines.

Mr DICK: The only observation I would make is that not to my knowledge was the PIM ever included in any piece of legislation moved by the honourable member opposite at any time.

Mr McARDLE: Clause 5 deals with the objective of legislation, in particular telecommunications. We have spoken much in this House about telephone interception being what this bill aims to achieve. At section 6E of the federal act it deals with what is regarded as legally intercepted information. It defines the phrase 'telecommunications system' as a network that is within Australia or partly within Australia and includes equipment or a line or other facility that is tied to a network and is within Australia.

With modern technology, will the warrant allow access to mobile telephones and to text messages and to email systems or emails that are transmitted on those mobile telephones? If the mobile telephone is linked to an Australian network—for example, Telstra—but is being utilised overseas, will the warrant also attach when the phone is used overseas even though it might be using, say, an American or an overseas network at the time?

Mr DICK: The reality is that the legislation will permit telecommunications interception for the police and the CMC for real-time interception of electronic communications, and that under the Commonwealth legislation interception with existing stored communication is permitted. I am advised that that will include things like telephone text messages, email, Facebook messages and so on. If they are of an electronic nature, they will be able to lawfully access emails and communications on a person's computer or mobile phone once they are available to the intended recipient of the message through the normal state search warrant methodology. In respect of international communications that the member described, I would refer the member to the definition of 'telecommunications network' in part 5. So it is to the extent that it is within Australia that law enforcement agencies and entities will be able to intercept those communications.

Mr McARDLE: A very quick point of clarification: does that also allow access to photographs on a mobile system? Mobile phones can now be utilised to take photographs. Can they then access those photographs by way of the appropriate warrant?

Mr DICK: I am advised that the short answer is yes.

Clause 5, as read, agreed to.

Clauses 6 to 9, as read, agreed to.

Clause 10—

Mr SPRINGBORG (3.02 pm): My question to the Attorney relates to the application of clause 10 and the way that it links in with clause 11. They do very much sit with each other because when one reads clause 11 it refers back to clause 10. Clause 10 states that the PIM is entitled to appear at the hearing of the application to test the validity of the application and for that purpose at the hearing to ask various questions et cetera, which seems all very fair on the surface of it. However, when read in context

with clause 11, basically it overrides any confidentiality obligations. The concern I have relates to police informants and to those people who may have to be questioned by the PIM in being party to the seeking of a warrant in issues such as a drug-trafficking matter relating to organised crime involving drugs. At the moment it is an offence, as I understand it, to provide any information as to who a police informant may be. There are certain offences under the Drugs Misuse Act—that is, if somebody tries to coerce an undercover operative to disclose who the informant is, that is actually an offence. In this case, would that mean that an undercover police operative or a covert operative would have to disclose the informant?

Mr DICK: I am advised that the informant's information and identity will be hidden in the application and supporting affidavits and will remain unidentifiable so far as in practice that can be achieved. So the aim is not to disclose or try to attack undercover covert operatives, and that is, as I understand, how the system will work. The PIM will have significant powers. But the fact of the matter practically is that that is not the intention of how the system is to operate.

Mr SPRINGBORG: Therefore, just by way of clarification, it is basically taking out the name and the location of the person who might be the informant. So it would be about the broad nature of the material at hand, excluding as many identifying features as possible. I suppose it ties in with clause 34, and I will come to that later on. Given that, if there is a breach of that in any way whatsoever—deliberate, or probably more likely to be accidental—and if this information falls into the wrong hands, the use of that information can be quite dire for the people involved, particularly the informant and also the covert operative because of the people they are dealing with.

Mr DICK: I am not going to try to prescribe or otherwise narrow what the law is going to be and how a judicial officer—be it a judge of the Federal Court or a member of the Administrative Appeals Tribunal—might deal with those applications. There may be an issue in respect of the veracity or truth of the matters put forward by the undercover operative. So it may be within the purview of the relevant judicial officer or member of the AAT to drill down into that to seek further clarification. If that is the case, then the PIM will be entitled to that information also. So it really will be a matter for the judicial officer or the member of the AAT considering the application as to the extent of the information that is provided to them and whether they require more information or whether they require clarification of any matter. If that is so, then the PIM will be entitled to that information as well.

Clause 10, as read, agreed to.

Clause 11, as read, agreed to.

Clause 12—

Mr McARDLE (3.07 pm): Just a preliminary point: is the PIM allowed to enter into the live monitoring room where the telecommunication tapping takes place at any time?

Mr DICK: My understanding relates to the information that goes to the application made for the search warrant. They will be entitled to the information that goes to the judicial officer or member of the AAT, but they will not be entitled to participate in the collection of the information that goes forward. The broad answer is that, no, there is no provision for them to be involved in police operations per se, and I understand that is what the member is referring to—the police operation involved in gathering the evidence that might be used. There is no provision in the legislation for that.

Mr McARDLE: Members of the government, including the Attorney himself, have made many statements here today and in fact yesterday about the importance of the PIM and the role that it plays. In fact, the member for Barron River used the phrases that the PIM was 'very important' and 'exercises very real safeguards' in relation to the protection of civil liberties.

In doing so, the member referred to a number of reports tabled in this House by the PIM. In particular, I take the Attorney-General to the report of the year 2006-07 at page 16. Bearing in mind that the government and government members have made very clear the role of the PIM and the importance of the PIM in safeguarding the civil liberties of Queenslanders, the report of the PIM reads as follows—

I am of the view that the PIM and Deputy PIMs should have the right, as part of their statutory functions, to enter the live monitoring room from time to time so as to monitor continued compliance by police officers with the conditions of warrants that have been issued. I consider that such function could be undertaken without interference with the police officers in the course of their operational duties.

I am surprised that the government, having given the weight to the PIM that it has, and in particular the wording given to it by the member for Barron River, has failed to heed a warning by the PIM in an annual report that adds to the safeguards. That directly contradicts the argument posed that it would interfere with police operations. The paragraph of the annual report that I referred to makes it very clear that this is an added safeguard. Is there any reason that provision would not be included, given the government's statement in relation to the importance of the PIM and, therefore, falling within clause 12 by way of a report of noncompliance in what may well be the most important element, that is, the actual taping or recording of the telecommunications and then compliance with the various warrants that have been issued by way of the relevant court order?

Mr DICK: All I can take from the comments made by the member for Caloundra is that he is implicitly supporting the involvement of the PIM in those sorts of activities. While that represents, again, the inconsistent approach that the opposition has taken during the debate—supporting the PIM, not supporting the PIM—we now have from the member for Caloundra a proposal that the PIM participate in the execution of search warrants, or telephone interception warrants, to allow the police, or the CMC, to listen in to telephone conversations. I presume by the member's representation to the parliament today and his question that he supports that proposal.

I am happy to look at that issue and I am happy to consider it as a further amendment at a later stage, if that is the wish of the opposition. I would be happy to speak to the member personally about that. If the member wants the PIM involved in those sorts of activities, I would be pleased to hear the member's representations on that.

At the end of the day, the PIM's reports do not represent government policy. They are suggestions and comments made by the Public Interest Monitor on the exercise of his powers. We always consider those carefully and we will take that on board. But the reality is that, in this process, the PIM's role is at the front end in respect of the application for a telecommunications interception warrant. That is the PIM's role in the first instance.

The monitoring of telecommunications—whatever form of telecommunications that might take—follows from the granting of the warrant. So it may be an idea for consideration down the track. Can I get an indication? Is that what the member is seeking? Is the member seeking the involvement of the PIM in listening to telephone intercepts as conducted by the police and the CMC?

Mr McArdle interjected.

Mr DICK: I thank the member. If that is the case, then I am happy to take that on board. But that will be after the fact. Effectively, that will be after the warrant to listen—to tap—has been granted. But if that is a policy principle that the member wishes to support and promote, then I am happy to consider that for subsequent amendment, provided it conforms with the Commonwealth act.

Clause 12, as read, agreed to.

Clauses 13 to 15, as read, agreed to.

Clause 16—

Mr SPRINGBORG (3.14 pm): This clause relates to the documents that are to be given by the eligible authority to the state minister concerned and the operation of the PIM. In leading into the concern that I have about this clause, I would like to correct the Attorney-General's assertion earlier that the LNP had no commitment whatsoever to the PIM in legislation that has been introduced into this parliament.

It is unfortunate indeed that the Attorney-General has been very poorly briefed by his department and by his ministerial officers, because if they had read page 9 of the Terrorism and Organised Crime Surveillance Bill 2004, part 3, titled 'Functions and powers of principal inspector' they would see that it states that the general functions and powers of the principal inspector are to inspect an eligible authority's records to ascertain the extent of compliance, to do that twice a year, and also to report any of those breaches to the minister.

If one goes to the dictionary of the bill, one sees that the principal inspector is defined as the Public Interest Monitor. Therefore, I am most disappointed that there has been an extraordinary misleading—and I hope it is not a deliberate misleading—on the part of the Attorney-General and others about the opposition's lack of commitment to the PIM. We have sought to weave as much as is legislatively possible through any private member's bill that we introduced into this place the role of the PIM, which was certainly facilitated at the back end of the warrant process under the then Commonwealth Telecommunications Act and certainly that which could be protected by the appropriate qualified equivalent judicial officer at the front end. So the Attorney-General was, therefore, extremely wrong on that point.

My question relates to the document that is to be given by the eligible authority to the state minister. Whilst in principle there should not be any problem with the clause, I have some concern. Within three months of a warrant being issued by the authority, a report needs to be given to the Attorney-General. What would happen if in that information there was information that identified the nature of the person being investigated as one of the government's colleagues, or somebody who was close to the government or, indeed, the responsible minister themselves? That is not an impossible scenario. It is something that could happen. In Australia there have been people in high office who have been subject to telecommunications interception. Can the Attorney-General give some assurance about the protection that would exist to guard against any potential embarrassment that could be caused to the Attorney-General as the appropriate minister and guard against any potential interference in that process or any real conflict in the application of the law?

As the Attorney-General would understand, it is true to say that in many cases, even though the warrant may have expired, after three months when the report needs to be compiled there could still be matters of investigation on foot extending from the application of that particular warrant and it may be adding to further potential criminal investigations.

Mr DEPUTY SPEAKER (Mr Wendt): Order! Before the Attorney-General responds, I will seek some advice. My understanding is that that is a hypothetical question.

Mr DICK: I am happy to give a general response to the question. The bottom line is that no Queenslander is above the law and anyone who transgresses the law ought to be prosecuted in accordance with established procedure in this state.

What I would say about misleading the parliament is that I do not, as a matter of practice, go out of my way to deliberately or in any other way mislead the parliament. If I do, I will correct the record as soon as humanly possible.

In respect of the member's allegations about the role of an investigating officer in his previous legislation, I of course was not a member of the House at that time. The opposition failed on numerous occasions to get that up. If the member was referring to clause 11, that relates to the back-end activities under his proposed legislation, not the front-end activities. All state acts have something like that, as I understand. The real value of the PIM for which we have been pushing, probing and advocating for years is at the front end. That is what this Labor government has been able to achieve.

All I can observe is that if there was greater concern about the involvement of the PIM and if the opposition had genuinely and sincerely supported the role of the PIM in those front-end activities then they would have lobbied their Commonwealth colleagues long and hard to ensure that was included in Queensland legislation. Let us put to bed once and for all this nonsense that both the Beattie government and the Bligh government have taken time or otherwise obstructed the implementation of these laws in this state. That is not the case at all. We were obstructed by the pig-headedness, unreasonableness and unnecessary and unreasonable response of the Howard government.

Mr SPRINGBORG: I just wish to clarify what the Attorney said earlier, because contentions have been made by numerous members of the government and the Attorney during this debate. In trying to accurately reflect what the Attorney said earlier, I understood him to say that he was not aware of the PIM being involved at any stage, or words to that effect. That is why I was very clear to point out the consistency of the proposition which I have been putting forward in my contribution about the respect for the role of the PIM and using the PIM as much as possible.

I did have correspondence with the then federal Attorney-General, and a number of changes and enhancements were made to the bill which I finally introduced on the last occasion into the parliament, which was defeated by the then Beattie government. Certainly a PIM at the front end was not one of those, because it was not able to be facilitated. I have already outlined a range of reasons why that has been the case and why our legislation very accurately reflected what had been in place in other Australian jurisdictions for as much as two decades without any real problems. None of those problems could be elucidated by members of the government in any of their contributions. They were deficient in the legislation which existed in the other Australian states which had a PIM or equivalent at the back end and other processes of safeguard at the front end.

However, Mr Deputy Speaker, I do seek some guidance. The practice that I have observed in this place over a long period is that, in pursuing matters in the debate on the clauses, members of parliament have been able to ask ministers to actually address particular concerns about how the government may address a situation of conflict arising in the legislation. That is why I raised that particular issue about what would happen if a minister who was the eligible minister were actually in conflict with regard to the information which had been reported to the minister by the PIM regarding a warrant which had actually been issued and had expired within that three months.

Mr DEPUTY SPEAKER (Mr Wendt): Order! The member for Southern Downs is correct. I have sought advice since I last spoke. The reality is that hypotheticals are excluded during question time. I just wanted to clarify that and I have sought that clarification. Does the Attorney have a response?

Mr DICK: I am not sure whether that was a speech and address to you, Mr Deputy Speaker, or a question to me. I am not quite sure—

Mr Springborg: I was seeking some direction.

Mr DICK: Does the member want a response from me? I am not quite sure what it was all about—part of the recitation of history.

Mr Springborg: I was seeking some direction as to how I put the question to the minister in accordance with the standing orders. My original question is fine. I am happy to ask it again.

Mr DICK: Yes.

Mr SPRINGBORG: I will ask the same question for the third time, but the unfortunate thing is that this is my third occasion of speaking on this clause. So if anything is elicited that should have been elicited in answer to my first question that I would like to respond to or seek further clarification on, I cannot actually do that as I am on my third and final contribution. I ask for a little bit of leeway with regard to that.

I ask the Attorney again a question with regard to clause 16. My particular concern is that the bill states that, within three months after a warrant issued to the authority stops being in force, a written report about the use made by the authority of the information et cetera must be made to the appropriate minister, which is fair enough. My concern is what would happen if the warrant had actually related to the minister or one of the minister's colleagues or somebody else who was known to or very close to the minister. That is not an impossible scenario based on the nature of investigations that we have seen across Australia in recent years.

What safeguards are there to ensure the appropriate processes of law are carried through and that there can be no tipping off or potentiality of interference to an ongoing investigation? Just because a warrant has expired three months previous does not mean that the investigation is not continuing; it just means that the warrant has expired and the information has been accrued. That information may then be useful to the authorities as they go on to actually further build a case against a particular individual.

My concern is: does this potentially put the minister into a conflict situation, and what safeguards are there to ensure that if that does happen the minister is not conflicted in any way? What safeguards are there to ensure an investigation which may involve the minister or somebody known to, close to or involved with the minister is not compromised in any way?

Mr DICK: The clause provides for a report being made in respect of the use made by the authority—that is the eligible authority, which would be the Queensland Police Service or the CMC—of the information. It is not about disclosing the information obtained; it is about a report on the use of the information obtained and how that information has been communicated. This is to ensure that if telephone interceptions are occurring they are taking place for a proper purpose and that the information that may be derived, again, is used by the eligible authority—the police or the CMC—for a proper purpose so that telephone tapping is not occurring just because it seemed like a good idea or it was a way to generate evidence. It must conform with the application made to the judicial officer or the member of the AAT. So the use must be a proper use. The reporting regime to the appropriate minister as established by this bill is to conform with the reporting regime that the Commonwealth requires.

Mr Springborg: The individual will be identified?

Mr DICK: Will the individual? I would commit an offence—quite right—if I was to reveal information obtained by me through the reporting mechanism. At the end of the day, apart from a very limited number of matters, I am not responsible nor am I authorised to enforce criminally the law in this state. I am not a criminal law enforcement officer except in very rare and unusual circumstances. So it is me reporting on the use of information and how that information has been communicated as a consequence of a lawfully obtained telecommunications interception warrant.

In a sense, the information will have been obtained by the law enforcement officer; that is right. They are the ones who then will use that information. The importance is to ensure compliance with the regime and the established processes set out in the legislation and by way of regulation. Yes, I have to conform with the law as well. If I were the appropriate minister administering the act and if I were to release the information, it may contravene this legislation and the Commonwealth act, and the relevant minister will not do that. My job is to ensure the integrity of the act to ensure compliance with the law as set out, but it is not to protect friends of the government or any other individual.

Clause 16, as read, agreed to.

Clauses 17 to 33, as read, agreed to.

Clause 34—

Mr SPRINGBORG (3.30 pm): As I understand it, clause 34 ties in with what I was just raising because it is about the general confidentiality provision in regard to what happens if a person discloses information which they may have acquired as a consequence of a report of the PIM or the involvement of the PIM.

A moment ago the Attorney said that he, as the appropriate officer, is only there to ensure proper compliance with the law—to ensure that the warrant is being properly carried out and that the appropriate safeguards are there. I have no problem whatsoever with that, and I am not doubting the Attorney's intent. But one of the problems we have is that if everyone abided by the law and everyone was fundamentally honest then we would not have to have penalties and we would not necessarily have to have criminal statutes or some other offence provisions. If somebody does disclose that information, the maximum penalty is 100 penalty units or two years imprisonment.

Recently in Victoria, in relation to a particular police investigation, information was being disclosed by those in the upper echelon of the law enforcement authorities, right to the very highest level of the Victorian police, tipping off those people who were allegedly corrupt police officers. One would think that those people similarly should be looked upon as bright lights and as examples of appropriate compliance with the law.

My concern is—and I raised this issue before about the disclosure of that information—that, if the minister responsible were to disclose that information to a colleague who may be under investigation or to somebody who was known to them, would the Attorney believe that a two-year potential maximum term of imprisonment would be satisfactory? That has been my fundamental concern—that this relies upon the honesty of the person. I am not impugning the honesty of the Attorney in any way whatsoever. But there are examples Australia-wide where laws have been broken by those people who have been fundamentally in charge of ensuring that these things are properly put in place and carried out.

Mr DICK: There can be no protection against human nature and human conduct completely. The question that the Deputy Leader of the Opposition has been persisting with for some period of time is of course a hypothetical one and one that is possible. Of course it could be possible for someone to breach the confidentiality provisions of the legislation. The question is: what further remedy is sought? At the end of the day what the bill does is authorise the operation of the Commonwealth telecommunications interception scheme in Queensland with the front-end protection of the PIM and other back-end protections.

The Victorian officer the Deputy Leader of the Opposition talked about would of course be subject to the criminal law and could be penalised. Similarly, the administering minister for this legislation—if it be me—would be similarly subject to sanction and penalty if they contravene the act by disclosing confidential information. But, as with all legislation that comes to this parliament, it is a balancing act—balancing the appropriate mechanisms with the appropriate sanctions and breaches for those mechanisms.

We think the arrangement is proper. More than that, we think it more than complies with the Commonwealth arrangement. The Commonwealth has the power in this area. The Commonwealth has the legislative authority under the Constitution; we do not. We are putting in an arrangement that satisfies and complies with that. I am confident that any minister obtaining this serious and important information will act according to law and, if they do not, then they will be subject to criminal sanction, public opprobrium, the destruction of their public career and a whole range of other penalties and sanctions. It may not simply be this legislation that they are contravening; there may be other criminal acts or other acts of misconduct that will subject them to additional penalty.

I assure the member for Southern Downs that we think the arrangement is correct. We believe it is correct. We believe it is appropriate. We are confident that those public officers who deal with this information will deal with it according to law.

Mr MESSENGER: Clause 34 in relation to the general confidentiality provision deals with the penalties imposed on people who disclose, illegally, information gained under this bill. I take this opportunity to ask the Attorney-General a number of specific questions that I am concerned about that relate to this clause. First of all, it seems as though the Attorney-General, in his summation of this bill, is not aware of the fact that Queensland has a serious organised crime problem. It is not just people on this side of the House who are saying that we have a problem but also noted commentators such as Bob Bottom who are saying that we have a serious problem with organised crime. Also, the previous Premier, Mr Peter Beattie, has admitted that Queensland is indeed the methamphetamine capital of Australia. He has been on the record a number of times saying that.

One of the essential elements of organised crime is political protection of those organised criminal groups. If there is political protection then organised criminal groups will flourish. I would like to examine the penalties that are being imposed by this legislation. First of all, with regard to this clause, I would like the Attorney-General to name which politicians are given details of the phone-tapping provisions in this bill? Is it only the police minister? Is it the Attorney-General? Is it the Premier? How many politicians are able to access the details of telephone tapping? Secondly, at what stage will those politicians access the details of telephone tapping? Will it be 10 minutes after the telephone tap is installed? Will they have prior knowledge of the telephone tap? Will they have a list? Or will it be after three months of operation?

I would also like to know who the inspecting authority is that is referred to in paragraph (d) of clause 34. Who does that inspecting authority report to? Is it an independent body? Is it a politician that that inspecting authority reports to?

Mr DICK: To answer the question in respect of the inspecting entity, that is quite clear. If the honourable member would care to refer to the dictionary, in defining 'inspecting entity' it makes it clear that for the CMC it is the parliamentary commissioner and for the Police Service it is the PIM.

In respect of penalties, the regime for penalties is established under section 63 and section 105 of the Commonwealth act. So the maximum of two years is established by Commonwealth law, and of course this parliament is not in a position to pass a law contravening Commonwealth law, pursuant to section 109 of the Constitution.

In respect of who has access to the reporting requirements as required under this legislation, it is the state minister responsible, which I anticipate will be me as Attorney-General, and the reporting is then to the Commonwealth Attorney-General as set out in the act. The information that is provided is only provided after the warrant has been executed and the duration of the warrant has expired.

Mr MESSENGER: Thank you very much. So from that answer, I can take it that the second after the warrant has been issued a politician will know the details of that warrant, including the phone numbers that are being tapped and the persons who are being tapped. I would like the Attorney-General to comment on that and clarify that point because I think there was an element of muddiness around his reply.

Looking at the maximum penalty as well, I note that it is 100 penalty units or two years imprisonment. In his reply, the Attorney-General said that we are not allowed to pass legislation in here that contravenes federal legislation. Is this a minimum penalty? What if we decided to put in a penalty greater than 100 penalty points? Perhaps the Attorney-General may have thought about 1,000 penalty points. After all, that is not unheard of; we have passed legislation through this parliament with 1,000 penalty points. Instead of a maximum fine of \$10,000, perhaps the fine could be \$100,000. In fact, we have passed legislation in this chamber where a person who disturbs a flying fox out of its roost can be fined up to \$100,000. It makes the government's priorities a little bit skewed if a person who scares flying foxes out of their roosts can receive a penalty that is harsher than a person who subverts the course of justice and discloses information relating to important telephone-tapping powers.

Mr DICK: In respect of politicians involving themselves in the execution of telecommunications warrants, there is no role for politicians in that. There is no role for a member of the cabinet or the executive in that. The question was: will a politician know the details a minute after the telecommunications warrant is executed? The answer is no; a politician will not know. The relevant person—and that person would be the state Attorney-General as the minister administering the act—would only receive information after the warrant has been executed and stops being in force.

In respect of penalties, the member for Burnett may have misunderstood my previous comment so I will explain it again. Sections 63 and 105 of the Commonwealth Telecommunications (Interception and Access) Act set out the regime of penalties. The state parliament is not permitted to do anything to qualify, impair or detract from that Commonwealth law, so the regime of penalties for releasing confidential information for contravening that provision is set by the Commonwealth parliament and our law must comply with that. We cannot unilaterally or by our own decision impose a penalty greater than what is otherwise specified in the Commonwealth legislation. That is because the principal power to allow for telecommunications interception is a Commonwealth constitutional power. The power to do that is set out in the Commonwealth Constitution. States do not have the power to do that. That is the primary position under the Commonwealth Constitution. That is why the regime for telecommunications interceptions is set out under the Commonwealth act. Ours merely authorises the implementation of that regime in Queensland.

The penalties that are in our state law as proposed in this bill will reflect the penalties set out in the Commonwealth legislation. So an argument about whether or not they are sufficient and whether or not they need to be greater is an argument that needs to be prosecuted at the Commonwealth level and pursued through the Commonwealth parliament.

Clause 34, as read, agreed to.

Clauses 35 to 40, as read, agreed to.

Schedule, as read, agreed to.

Third Reading

Hon. CR DICK (Greenslopes—ALP) (Attorney-General and Minister for Industrial Relations) (3.45 pm): I move—

That the bill be now read a third time.

Question put—That the bill be now read a third time.

Motion agreed to.

Bill read a third time.

Long Title

Hon. CR DICK (Greenslopes—ALP) (Attorney-General and Minister for Industrial Relations) (3.45 pm): I move—

That the long title of the bill be agreed to.

Question put—That the long title of the bill be agreed to.

Motion agreed to.

SUPERANNUATION (STATE PUBLIC SECTOR) AMENDMENT BILL

Second Reading

Resumed from 23 April (see p. 172), on motion of Mr Fraser—

That the bill be now read a second time.

Mr NICHOLLS (Clayfield—LNP) (3.45 pm): It gives me great pleasure to speak to the Superannuation (State Public Sector) Amendment Bill. I will just wait for the Treasurer to take his seat before I continue because that will take up about half of the time that I need to speak to the bill. Seriously, as I have an hour to speak to it and as it is a grand total of eight pages, I have worked very hard to make sure I can make a very solid contribution to the debate on this amendment bill. If we all work very hard together, we can produce a thorough debate and give it some thorough interrogation in the House today.

The bill covers three main issues. It deals with the superannuation interests of public sector employees in this state. Superannuation and superannuation entitlements are vital to the retirement security of Australians and Queenslanders. I notice from the speaking list today that the member for Brisbane Central will also make a contribution to the debate on this bill. I am sure she will call on her experience as a member of the board of Sunsuper when she does speak in this debate. As a member of Sunsuper, can I say to the member for Brisbane Central that I have been somewhat disappointed with the returns over the last two years, so if she can get onto her colleagues—

Ms Grace: It all went downhill after I left.

Mr NICHOLLS: That is the excuse that everyone gives. It is pretty important. Although we can laugh about it to an extent, the point is that superannuation is vital to people's retirement security. For many people, after their house it will often be their single biggest asset and it is very important that it is protected and secure and that they have the confidence to know that their future is, to some extent, taken care of with superannuation—and it is here in Queensland, with the very generous scheme that the state operates with a 12¾ per cent contribution from the state. That is currently part of the tough decision-making process that the Treasurer and the executive government are going through at the moment.

It is vital that it is protected. We have been fortunate in Queensland to have a fully funded scheme, at least until earlier this year when we found out that a top-up of \$86 million was required on actuarial advice. So there is another \$86 million going into the fund as a result of the worsening economic climate and the decline in values. Superannuation is a long-term investment. It would be foolish to look at one, three or even five years and say, 'This is a bad idea. We won't proceed with it.' It is a long-term investment to provide superannuation in retirement for people as they get to age 65.

This bill deals with three issues, including ensuring that the purchasers of the government assets—previously the Mackay and Cairns airports—are bound by the rules of the state public sector scheme. We do not have any truck with that; it makes perfect sense. People who have been in that scheme are, through no fault of their own, now no longer public sector employees but employees of the private sector, but their superannuation accounts remain there and it makes perfect sense for those employees to continue to receive the benefits of that superannuation scheme that is maintained by QSuper.

It also provides for the transfer of Treasury staff to QSuper Ltd. Rather than go into it during consideration in detail, I will put a question to the Treasurer. It relates to new section 31E(3) on page 7. It almost looks like third line forcing, in some respects. The clause states—

If a relevant employee is appointed to a position in QSL at a higher level ... the appointment may include a condition that the employee waive the employee's right under subsection 1.

That is the right to go back from QSuper Ltd to the public sector. So employees are being transferred from Queensland Treasury to QSuper Ltd. They have the right within a year to go back if they so choose, but if they go up a level in terms of the work level that they are carrying out at QSuper Ltd they can be compelled to waive the right to go back. I wonder why that is necessary and whether that is a fair thing to do, because it forces people, if they want to seek promotion, to waive a right that they otherwise would have. I ask for some clarification on that point from the Treasurer in his response.

The third item is that it extends the eligibility of members to include the spouses and former spouses of members to receive contributions from non-public sector employers. So the private sector can make contributions to it. I guess it is a question of the rationale as to why that is necessary. Why is that thought to be a desirable outcome, because in effect it then puts QSuper Ltd in the position of being a competitor to the private super funds industry? What is the rationale behind providing that opening for members' spouses to receive contributions from outside employers not public sector employers? With those extremely few words, we support the bill.

Ms GRACE (Brisbane Central—ALP) (3.51 pm): I rise to support the Superannuation (State Public Sector) Amendment Bill 2009. The member for Clayfield was correct: I have been a past trustee and deputy trustee of QSuper for many years, and I know firsthand how important these changes are not only for the members of QSuper but also for the future shaping of this great Queensland superannuation fund. The bill is allowing the opening of the fund from what is currently an employer based fund to one where existing members, whether working for the public sector or not, can maintain their QSuper member account as their preferred—and I stress 'preferred'—superannuation savings fund of choice.

QSuper is responding, I believe, to member demands. I know firsthand that these members have long desired to stay a contributory member of the fund when they have left working in the public sector. That was not available to them before this bill came into the House. The bill will extend QSuper's employer eligibility criteria to allow the fund to accept employer contributions for any person who has an account with the fund including the ability to accept employer contributions for spouse account holders.

The extension of QSuper's employer eligibility criteria is also consistent with other public sector and local government schemes, and I guess it is just giving to QSuper what others have had for quite some time. I believe this is great news for public servants who have left and returned to the public sector, thus alleviating the need in the future to open multiple funds and pay sometimes costly and now unnecessary administration fees, which in turn maximises retirement benefits. For example, I have come across many teachers in my career. Teachers who have moved from the state to the non-government school sector can now maintain their QSuper account and have their employer continue to contribute into their choice of member account throughout their career. This was not available to teachers. If they left the state sector and went into the non-government sector, they had to reopen another superannuation fund. If they went back they had multiple funds, thus eating away at their very necessary retirement benefits. It is great to see now that teachers who find themselves in this position will be able, if they choose, to maintain their QSuper membership account.

In addition, the bill ensures that the purchasers of a government asset are bound by the rules of the QSuper scheme, particularly where the sale is made to the private sector. The employer will be bound by the QSuper rules in relation to superannuation conditions of the workers transferred as part of the sale. I know this has been a desire of many workers affected by the sale of government assets in the past, and I believe this will greatly benefit those workers who want to remain part of QSuper and continue to have their employers' superannuation entitlements paid into their QSuper account rather than their being forced into another fund, which sometimes happens following a sale.

Finally, the bill facilitates the permanent transfer of a small number of Treasury staff to QSuper Ltd from 1 July 2009 subject to a 12-month period where they may elect to revert back to the Public Service employment. I welcome the bill's protection of existing wages and benefits for these workers who will be covered under collective bargaining agreements in the future.

As someone involved in QSuper over a long period of time in my previous career, I believe this is a great step for QSuper. I know it is one that has been much anticipated and desired by current members of the fund who no longer work in the public sector. In addition, I know QSuper is up to the exciting challenges that these changes will bring about, including entering the world of APRA and ASIC licensing arrangements, which no doubt they are currently working hard to ensure is all in place. I believe QSuper is a great fund. These changes will make QSuper even stronger and will be of great benefit to members who wish to take advantage of the changes contained in this bill. It is for these reasons I commend the bill to the House.

Mr CRANDON (Coomera—LNP) (3.56 pm): I rise to add to the debate on the Superannuation (State Public Sector) Amendment Bill 2009. I have a number of reservations in relation to the bill. First of all, the passing of the bill, as has been alluded to, will have the effect of membership growth for the fund. As membership of QSuper grows, will members who no longer work for the Queensland government be provided with the same levels of advice and support as those employees of the government?

It is absolutely imperative that all members receive appropriate levels of advice and support. For most, as has been alluded to already today, this investment is likely to be the only strategy to provide for their retirement years and to provide insurance protection for families. Therefore, it is imperative that some mechanism is there to ensure that they have continued advice. Assuming the answer to the above is in the affirmative, will offering an ever-increasing number of members such advice and support add to the costs that each member must bear?

Put another way, will the current systems be capable of managing the increasing numbers that can be expected? It appears to be inevitable that those numbers will grow quite substantially—as has been alluded to, the many members who leave the public sector and move into the private sector may stay on board. As their place is replaced in the public sector, there will be a significant growth. In doing so, if the systems have to be upgraded, then that in itself could lead to an additional cost to both members within the public sector and those who are now working in the private sector.

My third concern is this: is this process setting up the QSuper fund for the sales block? In other words, is the unspoken reason for the legislation a step towards QSuper being hived off—sold to a company that has shareholders, to the private sector no less? For if this occurs it will inevitably cause an increase in costs for each and every member of the fund.

It is inevitable because the first responsibility of such a company is to its shareholders. Shareholders expect to receive a dividend and they also expect to see their share price grow. I must say that over the last couple of years—certainly since I left the industry—things have gone a little bit downhill. The member for Brisbane Central also left. Perhaps it was the timing of our demise in the industry that caused the market to turn.

If we look at the reasons for the bill as outlined in the explanatory notes we see mention of the recent sale of government assets, for example airports and so forth. It is not beyond the realms of possibility that we are setting QSuper up as a limited company to allow it to also go on the chopping block, so to speak. The concern I have is that it will inevitably add a cost to each of the individual members of the fund.

Finally, I would ask this question: if in fact we are not looking to put QSuper on the chopping block, on the sales block, is it the intention of the legislation to set QSuper up so that it can pay a dividend to this government? If that is the case, once again members of QSuper would bear the cost. In effect, it would be an additional tax on members of the fund to try to shore up some of the shortfalls that the government is struggling with as we speak. Notwithstanding all of these comments, I commend the bill to the House.

Ms JARRATT (Whitsunday—ALP) (4.01 pm): What does a society—a nation—do to manage the wellbeing of its citizens once they have reached their retirement years? Like many other countries around the world, Australia has adopted a tripartite approach to managing the issue of basic social responsibility.

The age pension, which dates back to 1900 when the colony of New South Wales introduced a means tested age pension of £26 a year, continues as the basis of our retirement related social security. I wonder how much longer countries like ours that have an ageing demographic can continue to support such spending out of taxpayer funded revenue. I am sure that the other two planks of retirement income—namely, superannuation and individual savings—will, of necessity, become the mainstays of our retirement support.

Superannuation has existed in Australia in one form or another for more than a century. But for the majority of this time its benefits were restricted to a minority of employees, by and large those who have worked in the upper-end, white-collar employment. By 1972 only 32 per cent of workers were covered by superannuation. Not surprisingly, women were underrepresented in this cohort.

The final move to a more universal form of superannuation coverage began in earnest in 1985 when the Australian Council of Trade Unions sought a three per cent employer superannuation contribution to be paid into an industry fund. In 1986 the Conciliation and Arbitration Commission announced that it would approve industrial agreements that provided for contributions of up to three per cent to approved superannuation funds.

On the back of a new industry award negotiated under these guidelines, superannuation rose from around 40 per cent employee coverage to 79 per cent employee coverage in just four years. This was the beginning of mainstream superannuation coverage and it has, of course, undergone a series of reviews and legislative facelifts over the ensuing years.

In Queensland, public sector unions have long enjoyed the benefits of belonging to the QSuper fund which, despite recent impacts courtesy of the GFC, continues to be an outstanding long-term source of retirement funding for thousands of Queensland public servants. Of course, not all of us stay in the one job for our entire working life. There are many QSuper members who have left Queensland public sector employment and have maintained their account with the fund and who wish to have their new employers contribute to QSuper. In 2007 the QSuper act was amended to allow non-government employers to contribute to QSuper on behalf of their employees, provided the employees had earlier received Queensland government superannuation support and maintained their account with QSuper. One of the proposals contained in this amendment bill extends QSuper's product offering to the employers of all members who hold accounts with the fund, including the spouses and former spouses of such members.

There are over 220,000 members who have retained an account with the fund. These members have consciously chosen to maintain their account with QSuper. This amendment allows their non-public sector employer to make contributions into QSuper on their behalf. Market research indicates that there is strong demand for this offering and even a modest take-up rate over time would add significantly to QSuper's funds under management.

The proposal makes QSuper's arrangements comparable to those of other public sector and local government superannuation schemes, for example Queensland's local government superannuation scheme. Indeed, it brings it into line with recent amendments made at the Commonwealth level.

There is limited risk attached to the proposal, with the offering being restricted to basic accumulation accounts where members elect their own investment options and carry the investment risk and insurance to be provided by an external insurer. This amendment forms just one more step in the journey that superannuation specifically and retirement funding more broadly will take. But for those who will benefit through the changes it is an important amendment and I therefore commend the bill to the House.

Hon. AP FRASER (Mount Coot-tha—ALP) (Treasurer and Minister for Employment and Economic Development) (4.05 pm), in reply: I thank all members for contributing to the debate on the bill. I will briefly deal with the issues that were raised by the opposition during the debate.

In relation to new section 31E, the shadow Treasurer pointed to subsection (1), which has the reversion right to the public sector employee that exists for one year. The key point in subsection (3) is that the transferring employee makes the conscious decision within that one year period to accept a higher position to QSuper. To the extent that the employee values the reversion right, it is not a reversion right that is removed because of any act other than a decision that is made by the employee. Should the employee decide to accept a higher paid position within QSuper then that merely identifies the circumstances where obviously, through making that decision—that is, for their own betterment—the reversion right is removed.

Secondly, I turn to the issues around the ability to contribute for spousal members. Many members who are spouses do not have that right at the moment. As was mentioned, it is a right that exists in other funds. They may be spouses who have never worked but otherwise want a superannuation fund into which to contribute. But given the changing dynamic of work they may enter the workforce at some stage for reasons not imagined at a point in time and therefore it merely provides the ability for the contribution.

There are circumstances where a proportion of members are in fact members because of a family law dispute or a family law break-up. Therefore, to the extent that they become a member in those circumstances it allows them to contribute into that fund. It is important to note in those circumstances that around 220,000 members of the fund are former public servants who choose in effect to remain with QSuper for a whole range of reasons about security and their choice of superannuation fund.

In relation to the contribution made by the member for Coomera, the answer is no on all accounts. I am not sure I quite follow the logic that suggests that increasing the membership reduces the level of service. By definition, the proposal put forward by the member for Coomera says that QSuper's charter should be to get rid of a whole lot of members because that would somehow increase the level of service provision to the existing members. I am not sure what that would do for the funds under management for QSuper but, nevertheless, the logic is a little skewed on that front, to say the very least.

While I can assure the member that the answer to his fanciful proposition is in fact no, it is worth reminding folk that the bill in relation to airports was voted for not only by those on this side of the House but also by those on that side of the House. Nevertheless, one of my favourite pastimes is hearing members of the opposition talk about privatisation in those terms. I can only presume that the new member for Coomera is from the National Party part of the Liberal National Party, given the view that he put forward.

Nevertheless, I thank all members for their contributions. This is an important bill that does seek to provide some important reforms, small as they may be, for QSuper and its members, and I commend it to the House.

Question put—That the bill be now read a second time.

Motion agreed to.

Bill read a second time.

Consideration in Detail

Clauses 1 to 6, as read, agreed to.

Clause 7—

Mr NICHOLLS (4.10 pm): I refer to a matter I raised in debate that was answered by the Treasurer, and I am referring to proposed section 31E(3). In response, the Treasurer said that the decision to accept the higher position was a decision of the employee. He used the term 'acceptance',

so when they accept it they then can forgo the right to go back. But in fact the clause refers to an appointment. It says—

If a relevant employee is appointed to a position in QSL at a higher level from the position to which the employee was transferred, the appointment may ...

I accept that it is a 'may' and so on, but it does seem a little heavy-handed, if you like, to say that when they transferred over they were offered an advantage—that is, to go up, I presume, a pay level or to take a higher level of responsibility. But, in order to do that, the only way they may be able to do that is if they agreed to forgo or waive a right that they would otherwise have to go back. It just seems a little stiff to the employee in those circumstances.

Mr FRASER: I thank the shadow Treasurer. Just to clarify, the choice remains with the employee at every point in time. So there is not a compulsion of appointment; it is whether the employee chooses to accept a new position in QSuper. So it is not the case that the employee at any point has an involuntary appointment to a higher level; it is the case that the employee chooses to progress on a career path to a new position. At that point, as the member correctly noted in his contribution, it is not a compulsion of the condition but merely a facilitation that it may in fact be a condition. I should put on the record that the relevant union has been consulted through the production of the bill and is comfortable with the position.

Clause 7, as read, agreed to.

Third Reading

Hon. AP FRASER (Mount Coot-tha—ALP) (Treasurer and Minister for Employment and Economic Development) (4.13 pm): I move—

That the bill be now read a third time.

Question put—That the bill be now read a third time.

Motion agreed to.

Bill read a third time.

Long Title

Hon. AP FRASER (Mount Coot-tha—ALP) (Treasurer and Minister for Employment and Economic Development) (4.14 pm): I move—

That the long title of the bill be agreed to.

Question put—That the long title of the bill be agreed to.

Motion agreed to.

CRIME AND MISCONDUCT AND SUMMARY OFFENCES AMENDMENT BILL

Second Reading

Resumed from 23 April (see p. 177), on motion of Mr Dick—

That the bill be now read a second time.

Mr SPRINGBORG (Southern Downs—LNP) (Deputy Leader of the Opposition) (4.14 pm): I rise to support the Crime and Misconduct and Summary Offences Amendment Bill on behalf of the LNP. In speaking to the bill, I intend to first speak to the amendments to the Crime and Misconduct Act and then I will speak to the amendments to the Summary Offences Act. The Crime and Misconduct Commission, or CMC, investigates major crime, including paedophilia and terrorism, involving an offence punishable by not less than 14 years imprisonment referred to it by an independent body known as the Crime Reference Committee, otherwise known as the CRC. This mechanism effectively replicated the crime referral arrangement between the former QCC and the former QCCMC under the repealed Crime Commission Act 1997. References made by the QCCMC to the Queensland Crime Commission under the repealed act were continued as referrals of major crime to the CMC by the Crime Reference Committee under the current act.

With regard to the impact of *Scott v Witness C* of 2009, on 4 March Justice Jones delivered his judgement in that particular matter holding that an umbrella reference known as Freshnet was not a valid referral for a specific major crime investigation and consequently the CMC's investigative powers had not been validly invoked in that instance. Both the former QCC and the CMC have operated under two types of crime referrals—firstly, specific stand-alone referrals that specify the particular activity being investigated and/or persons suspected of being involved in the criminal activity and, secondly, general umbrella referrals that broadly describe the major crime activity to be investigated without having to specify individuals, groups or events. In this regard, the CMC has had an administrative procedure by

which an internal CMC committee assesses whether a particular investigation falls within the scope of an existing umbrella referral or whether it should be referred to the CRC for a specific referral to the CMC.

On 4 March 2009 Justice Jones delivered his judgement in *Scott v Witness C* holding that an umbrella reference known as Freshnet was not a valid referral for a specific major crime investigation and consequently the CMC's investigative powers had not been validly invoked in that instance. Witness C had been identified as a person likely to disclose information under compulsion about a large scale organised crime syndicate involving the trafficking of drugs between Victoria and Far North Queensland. The CMC commenced an investigation known as Operation Destiny and authorised hearings under an umbrella reference known as Freshnet made in 1998 by the former QCCMC at the request of the former Crime Commissioner.

The Freshnet reference permitted the Queensland Crime Commission to investigate criminal activity that may invoke or may involve trafficking, supply and dealing in dangerous drugs, money laundering, violence, extortion, theft, fraud, forgery or interference with the administration of justice by established criminal networks. The CMC applied to the Supreme Court to have Witness C punished for contempt for refusing to answer questions at the CMC hearing. The respondent submitted that there could be no contempt because the hearing was not authorised by a valid referral under the CMC. Justice Jones held that the Freshnet reference was not a valid referral under section 46 of the repealed act because it did not identify any particular circumstances by which the QCCMC could have considered the threshold matters specified in section 46, since replicated in section 28 of the CMC Act.

His Honour held that the CMC could not rely upon the Freshnet reference for its Operation Destiny investigation. In the absence of a referral from the CRC, or power for the CMC to launch crime investigations on its own initiative, His Honour held that the CMC's investigative powers were not validly exercised in this instance. He found there was no contempt, because the hearing was not part of an investigation the CMC was authorised to undertake.

The *Scott* decision is considered to have the effect of limiting the CMC's major crime function to investigating specific matters referred to it by the CRC. Whilst it would usually be a matter of some reticence for this parliament to pass legislation that validated retrospectively particular actions that were intended by the government, it is very clear in this case that the intent of the original legislation, which had been passed by this parliament some 10-odd years ago, was that there should be that broad head of power put in place by the general references made by a crime reference committee to the Queensland Crime Commission and, subsequently, the CMC in Queensland.

It is my belief, and I think the belief of those who drafted the legislation and who have been responsible for administering the act, that what has been identified in this case is that there is a technical anomaly that has been exploited. Failure by this parliament to pass this amendment would see not only in this case but also in other cases where general referrals have been used a complete breakdown of authority. That would mean that the CMC would not be able to do its job and, therefore, it would put the CMC at an extraordinary disadvantage when it came to investigating organised criminal activity in Queensland or offences punishable by up to 14 years in jail, including major drug crimes, money laundering, terrorism offences and a range of others. Therefore, I would be very strongly supportive of this legislation being passed by the parliament.

With regard to amendments contained in the bill to the Summary Offences Act, media coverage has highlighted the community's concern about the potential danger of rocks and other objects being thrown at travelling vehicles or on to roads. The government claims—

Given growing community concern about this conduct, the government considers it necessary to develop a specific offence directed at 'rock throwing' and other dangerous conduct, such as directing a laser pointer at a vehicle, which will complement the existing suite of offences described above. The proposed offence is not reliant on proof of intent and can apply where there is no personal injury or property damage or where the conduct does not result in any actual endangerment.

A range of legislation may apply to situations where objects are thrown at vehicles. For example, if a person is killed as a result of the incident, the perpetrators may be charged with murder or manslaughter. In 2000, four men pleaded guilty to manslaughter after a rock they threw off an overpass on to a Sydney motorway crashed through the windscreen of a truck, killing the driver instantly. The ABC reported that the main instigator would spend a minimum of three years behind bars. Another man was jailed for two years and three months. A third was sentenced to 2½ years periodic detention, while the fourth man was given a three-year good behaviour bond.

Perpetrators have also been charged with offences such as maliciously inflicting grievous bodily harm. In March 2008, a man who pleaded guilty to maliciously inflicting grievous bodily harm by throwing rocks at cars from an overpass above the Princes Highway in New South Wales was sentenced to a maximum jail term of four years, with a non-parole period of two years. The victim, who had been sitting in the back seat of the car, was hit on the head by the rock and had to have part of her skull removed, leaving her badly scarred and with permanent injuries, including hearing loss, loss of peripheral vision and short-term memory loss.

There are also offences contained in transport legislation that may be relevant. For example, in Queensland, the Traffic Regulation 1962 makes it an offence punishable by a maximum fine of \$1,500 to place anything on a road that obstructs or endangers a person or the traffic. It is also an offence to throw or discharge a stone or other missile on the road. The Transport Infrastructure (Busway) Regulation 2002 makes it an offence punishable by a maximum fine of \$1,500 to create a disturbance on a busway. Creating a disturbance is defined to include depositing, dropping or throwing a matter, substance or thing on a busway that is likely to injure a person or damage a vehicle.

Recently, a number of states have enacted specific offences targeting such activities. In South Australia, in 2006 the offence of throwing objects at vehicles was inserted into the South Australian Criminal Law Consolidation Act 1935. It is an offence, punishable by up to five years imprisonment, to throw or drop a prescribed object on to a vehicle that is being driven on a road, busway, railway, or tramway. It is irrelevant whether the vehicle is moving or stationary when the object is thrown or dropped. Prescribed objects are objects that, on impact, would cause severe damage to the vehicle or harm to an occupant of the vehicle but does not include soft fruits, vegetables, or eggs. Where a person is on trial for murder or manslaughter, a jury may, in appropriate circumstances, bring in the alternative verdict of throwing objects at vehicles.

The New South Wales Attorney-General introduced a bill into the Legislative Council which will make it an offence punishable by imprisonment for five years to throw or drop objects on to vehicles or vessels on roads, railways, and navigable waters.

Incidents in Queensland that have occurred over the past five years include—and these have been revealed through a search of news stories—in 2008 when eight Townsville youths were reported to have gone on a vandalism rampage, which included throwing objects from a pedestrian bridge on to a railway line. Bus routes in Cairns were reportedly changed following ambushes by teenagers armed with rocks and slingshots. In 2004, it was reported that rocks, bricks and stones were being hurled at buses from overpasses along Brisbane's South East Busway. A news report about violence on buses stated that there were more than 20 occasions when rocks, bottles and other objects were hurled at buses, smashing windows and injuring at least one passenger. It really does make you wonder what gets into people's minds when they do this sort of stuff.

Information obtained by the *Courier-Mail* under freedom of information laws revealed that in 2005 over a 12-month period, almost \$28,000 damage had been done to Brisbane City Council buses by projectiles being thrown at buses. In 2006, the *Courier-Mail* reported that eight Queensland Rail trains a week were bombarded with bricks, rocks, lumps of concrete, bottles, paint cans and water bombs. The *Gold Coast Bulletin* reported that at least one bus driver was refusing to return to work for fear of being killed by a rock, brick or spear hurled at the windscreen by brazen youths.

In 2007, Channel 9 reported that a group of teenagers throwing bricks on to the Ipswich Motorway from an overpass hit the windscreen of a truck, which was able to pull over without, fortunately, further damage. In 2008, the *Cairns Post* reported that buses in Cairns returned to the depot each week needing windscreen repairs as a result of rock-throwing incidents.

Like many offences that this government introduces, or amendments to offences that focus on penalties, we know for a fact that the maximum penalty is never imposed. The intent of the amendments, as proposed by the government, is very similar to that which the opposition put forward to address gatecrashing, which is a specific offence. We welcome the proposed amendments. We only hope that the courts in Queensland impose the maximum penalties that are contained in this legislation which, as I said, is two years imprisonment. Although for some people that might seem a long time, certainly in other jurisdictions throughout Australia, including in New South Wales, legislation has been introduced where the maximum penalty is five years. I dare say that at some future time we will return to this parliament and debate the serious question as to whether two years is indeed an appropriate length, because there is a need to crack down on this behaviour. It is not only antisocial but also dangerous and can certainly lead to copycat offending.

The other issue to consider is that many of the people who are actually involved in this criminal activity are youths and they are going to be dealt with under the sentencing provisions of the Juvenile Justice Act. I would hope that the sentencing judge is going to be very severe on those particular youths. One of the concerns of many people is that when cautions are continuously used against youths, many of them do not see any deterrent in the law which is being administered in this state. This is serious. People can be harmed; people can be killed and people can be traumatised and left scarred for life.

I support very strongly the two principal amendments in the legislation before us today, that which seeks to ensure the intention of the general referral powers of the form of the Crime Commission and the current CMC in Queensland and also the amendments to the Summary Offences Act to ensure that this growing problem of rock throwing, of obstructions being placed on our roads regardless of intent being established and the use of laser pointers is actually dealt with and dealt with properly by authorities in Queensland.

Ms BATES (Mudgeeraba—LNP) (4.31 pm): I rise today to make a contribution to the Crime and Misconduct and Summary Offences Amendment Bill 2009. As stated in the *Legislation Alert No. 2 2009*, the summary offences amendment bill seeks to expand the Summary Offences Act 2005 to add an offence which applies to a person who unlawfully throws an object at a vehicle that is in the course of travelling, places an object in or near to the path a vehicle is using or may use in the course of travelling or directs a beam of light from a laser at or near a vehicle that is in the course of travelling in a way that endangers or is likely to endanger the safe use of the vehicle. The maximum penalty for this offence is two years.

Media coverage has highlighted community concern about the potential dangers of throwing rocks and other objects at travelling vehicles or onto roads. In addition, there has been a spate of media reports of laser pointers being aimed at aeroplanes, which can interfere with a pilot's vision and jeopardise the safety of passengers. The Commonwealth Civil Aviation Act 1988 allows provisions of up to two years imprisonment for this offence.

In recent months the media has reported on a number of incidents involving rocks being thrown at vehicles, particularly from overhead bridges. In 2009 there have already been a number of these incidents in South-East Queensland, including a large rock thrown from an overpass through the windscreen of a vehicle carrying tourists which did not lead to a serious accident, an overhead rock thrown at an ambulance taking a sick child to Ipswich Hospital, a large rock thrown at a truck's windscreen resulting in the driver being sprayed with glass, a rock thrown at a bus which smashed a window and injured a passenger and rocks thrown from a pedestrian overpass on the M1 highway on the Gold Coast near Wet 'n' Wild. This is a serious offence and one for which other states, in particular New South Wales, have already legislated. Unfortunately, the majority of perpetrators are juveniles and the penalty of two years imprisonment will not prove a deterrent. This bill, unfortunately, does not include provisions for juveniles.

Other states already have in process programs to educate juveniles on the dangers and consequences of rock throwing. These excerpts are taken from a letter to school principals in South Australia from the SAPOL Crime Reduction Section in September 2005. Many of the offenders caught committing these types of crimes have been young people copying peers or inspired by publicity to engage in this crime. The document states—

Throwing rocks at vehicles is a serious crime that can have fatal consequences.

Vehicles can be damaged, but worse drivers and passengers can be seriously injured or even killed. This type of activity is not a juvenile prank; it is a serious act that can endanger lives.

... police have received a number of reports about rock throwing from bus companies in the southern and northern suburbs. Police are aware that many of the offenders caught have been young people, copying their friends or others or motivated by publicity to commit this crime.

Police together with the community want to make sure that you all understand the seriousness of this crime. The message is clear; **ROCK THROWING CAN KILL.**

Police and the community will be working together to make sure you are safe while you are on school holidays; help them by not getting involved in rock throwing. If you find yourself with others who think rock throwing is fun, remind them that it can kill, and could they deal with the consequences?

More worrying is the fact that it appears that the majority of these offenders are juveniles and one wonders what, if any, deterrent this amendment will have on those who can still get away with it.

This excerpt from the Northern Territory Police, Fire and Emergency Services Media Liaison back in December 2004 highlights that more needs to be done to deal with juvenile offenders of this crime. It states—

Acting Superintendent Craig Ryan said incidents of rock throwing were always a concern and police had, in the past, mounted special operations to tackle the problem.

'We always expect rock throwing to increase during the school holidays and we usually target such offences during that time,' Acting Supt Ryan said.

'But these incidents overnight are worrying from the point of view of the number reported as well as the age of the alleged offenders. Police have received reports from witnesses that some of these offenders are as young as four and five years old.'

'We are appealing to members of the public to immediately report rock throwing so we can apprehend offenders before there are more serious consequences than simply a broken car window.'

The United States, particularly in the state of Oregon, has taken a dim view of repeated incidents of rock throwing perpetrated by juveniles. As far back as 1991 an article in *The Seattle Times* stated—

Fencing will be installed later this year on the Highway 525 overpass where a Lynnwood motorist was killed by a 16-pound rock allegedly dropped by two youths.

This is the start of a new program being considered by the state Department of Transportation because of a growing number of rock-throwing incidents.

...

Two years ago, Oregon began a fencing program for overpasses, erecting eight or nine a year.

...

Fencing is required now on pedestrian-only crossings.

Queensland has a suite of criminal offences which could currently apply to rock-throwing conduct depending on the circumstance of the case. These offences include endangering the safe use of a vehicle or related transport infrastructure, endangering the safety of a person in a vehicle with intent, wilful damage, acts intended to cause grievous bodily harm or other malicious acts, grievous bodily harm or, if death results, murder or manslaughter. The maximum penalties for these offences range from five years imprisonment to mandatory life imprisonment. At present there is a range of offence provisions in Queensland legislation that could apply and be applied when sentencing for rock-throwing and laser-pointing conduct. In situations where death results from the conduct set out in the above offence provisions prosecutions for murder or manslaughter may be brought. For example, if property damage such as a shattered windscreen results from rock-throwing conduct, police could charge the perpetrator with wilful damage, which is punishable by a maximum penalty of five years imprisonment. However, the offences described above only apply where personal injury or property damage occurs or where there is proof of malicious intent.

The specific offence directed at rock throwing and other dangerous conduct such as directing a laser pointer at a vehicle has come about as a result of growing community concern on both issues. The proposed offence is not reliant on proof of intent and can apply where there is no personal injury or property damage or where the conduct does not result in any actual endangerment. Whilst I would be more than happy to see these loopholes closed and tighter sentencing, this bill will not in any way deter rock-throwing incidents among juveniles. The answer to this dilemma is more than just a mandatory sentence of two years imprisonment where the majority of these offenders are juveniles. The government needs to consider the following to curb the rising incidence of this and other related offences in conjunction with the mandatory sentencing when the crime is perpetrated by a juvenile: consider fencing on pedestrian-only walkways, community service orders for juvenile offenders, education in schools prior to school holidays when offences are most likely to occur, the use of CCTV on overpasses to assist police apprehend the juveniles involved and zero tolerance for these and other related offences where death and permanent disability can occur.

In the electorate of Mudgeeraba I have seven overpasses on the M1 alone that are not caged including the notorious Nerang-Southport interchange, exit 75, exit 77, the long-awaited Mudgeeraba interchange at exit 79, exit 81 at Robina Parkway and exit 83 at Reedy Creek. Every one of these overpasses has some method or other for pedestrian access. However, by and large, they are utilised by schoolchildren traversing the M1 from the western side in order to attend high school at Robina State High School as that is the only high school close to the Mudgeeraba electorate. Two years ago there was a report to Mudgeeraba police of a rock-throwing incident at night from the Robina Town Centre overpass. No arrests ensued, however, the police believe that the perpetrators were juveniles.

This bill is yet another Labor government's supposed tough-on-crime initiative which precludes those most likely to offend and therefore will have absolutely no deterrent for those most likely to offend. I support tougher sentencing. However, this legislation will only be applicable to those who are of age and, without education and alternative methods of dealing with juveniles, this measure will allow many perpetrators to escape unharmed whilst their victims deal with the fallout.

Mr EMERSON (Indooroopilly—LNP) (4.39 pm): I rise to speak on the Crime and Misconduct and Summary Offences Amendment Bill. There are two aspects to this bill that I would like to address. Queenslanders are rightly concerned about the potential existence in our state of activities such as organised crime, criminal paedophilia, terrorism or outlaw bikie gangs and their associates. As such, there is strong and justifiable expectation that our law enforcement and criminal investigative bodies should have the capacity to undertake those roles. The Queensland public expects that the Crime and Misconduct Commission has the ability to effectively investigate these major crimes. That is why it has been given these investigative powers not ordinarily available to the police.

The Supreme Court decision in *Scott v Witness C* clearly limits the CMC's major crime function to investigate specific matters referred to it by the Crime Reference Committee. That is not how the parliament intended the crime referral arrangement to operate either when the CMC's predecessor, the Queensland Crime Commission, was established in 1997 or under the current Crime and Misconduct Act. As the minister has pointed out, nearly 80 per cent of the major crime investigations undertaken by the CMC and its predecessor have been conducted under the general 'umbrella' referrals from the CRC. The decision in the *Scott* case has seriously compromised the CMC's major crime investigation and intelligence activities and their outcomes. This bill seeks to rectify the impact of that decision which, if not addressed, could lead to a number of CMC investigations being deemed invalid. I note that the amendment was a key recommendation of the PCMC.

The bill responds to the *Scott* decision by validating past, present and future use of general umbrella referrals for major crime investigations and the bill gives effect to parliament's original intention. The bill retrospectively validates umbrella referrals made to the former QCC and the CMC. I do have issues with the bill where it validates all previous referrals. I and I am sure many of my colleagues in this chamber instinctively recoil at retrospective legislation. Is this retrospective legislation? On some interpretations that may be the case. However, this amendment is not making something that was previously lawful unlawful. It merely ensures that past practices are valid as per the

intent of the legislation. On balance, I think therefore that is acceptable. Having said that, it is important that we are cautious in too easily relying on intent when we need to rectify perceived flaws in legislation by resorting to retrospective legislation.

The second aspect of this bill I would like to speak to is its amendment of the Summary Offences Act to introduce the offence of endangering the safe use of a vehicle by throwing an object or by a similar activity. We have seen in recent times disturbing media reports highlighting the community's concern about the danger of rocks and other objects being thrown at travelling vehicles on to a road and the impact that can have. There have also been several widely reported incidents of laser pointers directed at vehicles including planes. In a modern and civilised society we do have the expectation to be able to travel safely. The reality is that there will always be stupid people doing stupid things. Sadly, those stupid things can lead to tragic circumstances.

The government is seeking to introduce a specific summary offence to deal with rock throwing and the pointing of lasers. It is important to recognise that Queensland currently has a range of criminal offences which could apply to this conduct depending on the circumstances of the case. These circumstances can range from a shattered windscreen resulting from rock-throwing conduct, in which case the police could charge the culprit with wilful damage, which is punishable by a maximum penalty of five years imprisonment, to the even more serious cases where death results from the conduct, in which case the police could charge the culprit with murder or manslaughter. These offences only apply where personal injury or damage to property occurs as a result of the conduct or where there is proof of malicious intent.

The proposed offence is not reliant on proof of malicious intent and will apply where the conduct is likely to endanger the safe use of a vehicle without having to establish any actual endangerment. The offence will apply also where there is no personal injury or property damage. The new offence will provide police with a further charging option in cases where rock throwing and other dangerous conduct does occur. These changes will remove the need for prosecutors to prove the intent to injure or cause damage. So anyone who simply drops or throws a rock towards a moving vehicle will be guilty the moment that missile leaves their hand. It will no longer be a defence for an offender to claim that they did not mean to hurt anyone.

Having said that, I do note the comments of Terry O'Gorman, the vice-president of the Queensland Council for Civil Liberties, about this issue of rock throwing—rocks being dropped from bridges on cars. He argues that the existing laws more than adequately provide for people to be charged. He argues that what this government is doing is creating new offences where existing laws are perfectly adequate. I did mention before the range of offences that currently exist. But, even in relation to wilful damage, I do believe that the prosecution does need to prove that a person did have intent. That being the case, I believe that this law is required and does fill a gap in existing laws, and it sends a very strong message out to the community that this kind of behaviour—rock throwing, laser pointing and anything that endangers the safe travel of vehicles—is an offence.

Mr SHINE (Toowoomba North—ALP) (4.46 pm): I appreciate the opportunity to speak briefly to this bill before the House. The first part of the bill relates to the CMC, and with that the House, I think, will have little trouble. I think we all accept the necessity for the situation that has arisen as a result of the court decision in *Scott v Witness C* to be rectified and to validate past, present and future umbrella referrals with respect to major crime investigations. These matters are of the utmost seriousness, and it is important that the CMC can fulfil its legitimate duties, as envisaged by this House having regard to past legislation, effectively and properly.

I was pleased to hear the contribution made by the honourable member for Indooroopilly when he, as I understood him, suggested that caution should be exercised when we confer power, particularly retrospective power, on bodies of this nature. It is a refreshing attitude coming from the opposition as we now know it these days. I look forward to seeing his influence—

Mr Moorhead: A bit of liberalism.

Mr SHINE: A bit of liberalism in the LNP being spread throughout that party. He may choose to sit next to the member for Burnett from time to time to instil that in him. Then again he may not.

The CMC is a body, as you know, Mr Deputy Speaker Hoolihan, as the chair of the Parliamentary Crime and Misconduct Committee, which has very significant powers—coercive powers and what has been referred to as 'star chamber' powers. Therefore, it is a body that with its existing powers is already extremely powerful.

However, I want to come to that section of the bill which deals with the amendments to the Summary Offences Act. According to the Scrutiny of Legislation Committee *Legislation Alert*, the bill will amend the Summary Offences Act—

... to insert an offence which applies to a person who unlawfully throws an object at a vehicle that is in the course of travelling; places an object in or near to the path a vehicle is using or may use in the course of travelling; or directs a beam of light from a laser at or near a vehicle that is in the course of travelling, in a way that endangers or is likely to endanger the safe use of the vehicle. The maximum penalty for this offence is 2 years imprisonment.

The Scrutiny of Legislation Committee raised two areas of concern in the legislation which should be recorded here. The first relates to clause 17, being the reversal of the onus of proof. The other concern is with new section 26. The committee noted that the offence in new section 26—

is an absolute offence, imposing liability for a breach of the statutory offence regardless of intention or knowledge ...

The committee's concerns are shared and understandable, particularly as these offences will relate primarily to children.

That concern is not allayed by the knowledge of the presence of a large array of laws already present in our statute book, particularly in the Criminal Code. I refer to offences like: endangering the safe use of vehicles and related transport infrastructure, section 467; endangering the safety of a person in a vehicle with intent, section 319; wilful damage, section 469; acts intended to cause grievous bodily harm and other malicious acts, section 317; grievous bodily harm, section 320; or, if death results, murder or manslaughter. So there is an array of other offences already in the statute book which could be utilised by the prosecution.

We need to proceed carefully with this matter, as we always do when dealing with changes to the criminal law. The criminal law is a very precious thing. When we are in this place, we always need to be cognisant of our most serious and solemn duty when changing the criminal law. In my view, we are obliged to separate those considerations which are less worthy and might even be merely political in their import.

When we change the criminal law significantly—particularly when we purposefully diminish existing rights, like the reversal of the onus of proof provisions and the elimination of the need for the prosecution to prove intention—we need to proceed most cautiously before we do away with those cherished safeguards. Certainly, we cannot do so without any just cause and we cannot do it lightly. When we do it, at the very least we need to be able to show justification for the changes to the people of Queensland. I am sure the government, through the Attorney, will be able to do that with this legislation today.

Ms GRACE (Brisbane Central—ALP) (4.53 pm): I rise to support the Crime and Misconduct and Summary Offences Amendment Bill 2009. I rise to speak specifically for a short time on the bill's amendments to the Summary Offences Act 2005 which will introduce the offence of endangering the safe use of a vehicle by throwing an object or by a similar activity. As we all know, recent media coverage has highlighted the general public's concern about the potential danger from rocks and other objects being thrown at travelling vehicles or on to a road. Previous speakers have outlined a number of cases and listed the various types of situations that drivers have found themselves in from people throwing objects either at a vehicle or on to a road.

The reason I want to speak about this issue is that I actually had a real-life experience of it. Many years ago, I was actually a victim of this crime when something was thrown at the vehicle I was driving in the suburb of New Farm. Even though this incident occurred many years ago, probably well over 30 years ago, the reality of what happened and the memories are still very vivid in my mind. A combination of mud and pebbles were thrown at the windscreen of my car by a bunch of teenagers who were out having what they thought was a bit of a good time.

They threw this combination of pebbles and mud at the windscreen while I was driving, and I was filled with horror when it hit the windscreen. I had no idea what had happened. I swerved, and luckily there were no cars coming in the opposite direction. It was only by sheer luck that I did not crash. I was only inches away from hitting a tree after I had driven up onto the footpath. Once again, I was lucky there were no pedestrians or vehicles and I was lucky I did not hit anything. Being a victim and having something thrown at my vehicle is an act and experience I would rather not have gone through.

There are offences for this at the moment, such as endangering the safe use of a vehicle, endangering the safety of a person in a vehicle with intent, causing grievous bodily harm or other malicious acts. They carry maximum penalties of life imprisonment. In more serious cases where death results, the charge could be murder or manslaughter. Murder and manslaughter also carry mandatory life imprisonment. However, these only apply where there is proof of malicious intent. Due to community attitudes on this issue changing, this bill has become a step in the right direction. There is now a specific offence directed at rock throwing and other dangerous conduct, such as directing a laser pointer at a vehicle. These will complement the existing suite of offences I have already referred to.

The proposed offence is not reliant on proof of malicious intent and will apply where the conduct is likely to endanger the safe use of a vehicle without the establishment of actual endangerment. The bill establishes the offence where there is no personal injury or property damage caused by the perpetrator. I guess that would be an offence similar to my own personal experience.

This will be a new offence that the police can use as a further charging option in the case of rock throwing and other dangerous conduct. I think the police will welcome this further and new offence to go with the current suite they now use. I believe it sends a clear signal that these actions are not acceptable. The bill goes a long way to addressing the growing community concern about the increasing number of such incidents occurring in the general public. I commend the bill to the House.

Mr BLEIJIE (Kawana—LNP) (4.58 pm): I rise in this House today to discuss the Crime and Misconduct and Summary Offences Amendment Bill. I will limit my comments to part 3 of the bill, which relates to amendments to the Summary Offences Act 2005. As members would know, this bill creates an act specific offence with respect to rock throwing and laser pointing. I am particularly pleased to see this legislation debated in this place, as rock throwing and laser pointing have unfortunately been on the rise around the state.

I welcome the government's effort to tackle the problem of vehicle and passenger safety when travelling under a road overpass. Motorists travelling along these busy freeways throughout Australia have been pelted with objects such as rocks and bricks from pedestrian overpasses and bridges for some time. This legislation will go some way to acting as a potential deterrent from engaging in this type of activity. We must, however, understand that this legislation, although assisting, will not stop instances of rock throwing or laser pointing. This is based on a few reasons.

The first reason is that as a society there will always be those who wish to disrupt and cause harm to others. The second reason is that in general terms I would say that these reckless acts of stupidity have, more often than not, been committed by juvenile delinquents who have nothing better to do with their time than launch an object from an overpass into the path of oncoming traffic and watch the carnage that it may cause.

That being said, the problem that arises here is that our justice system for juvenile offenders is very much a slap on the wrist approach. Unfortunately, prankster movies such as *Jackass* and *The Dudesons* sanction and promote this type of behaviour. With the help of the worldwide media outlet known as YouTube, our youth are encouraged to commit these reckless acts and then publish them on the internet as a means of self-promotion. While we cannot control what people watch, to a certain extent we can legislate against these criminal acts. We can protect the innocent people who are affected by this road trauma which can seriously injure, if not kill, motorists.

Statistics indicate that road traffic fatal crashes and fatalities increased between 1998 and 2008. Last year 293 fatal crashes occurred on Queensland roads, killing 327 people. This year, our 150th as a state, the government has set a target of 299. That is, the government will try to implement measures that will decrease the number of fatalities on our roads from 327 to fewer than 300. I hope this is a government target that can be achieved.

While I do welcome this piece of legislation from the government, it seems to be a reactive initiative rather than a proactive one. Various states in Australia have had similar pieces of legislation for some time. As well as outlawing these dangerous acts, we as a parliament should look at what can be implemented to prevent these dangerous acts from occurring in the first place. Recently a motorist in my electorate was driving along Nicklin Way from Caloundra to Kawana. While driving under the Sugarbag Road overpass, a rock the size of a soccer ball had been thrown from above. Fortunately, the rock only hit the bonnet of the car, but had my constituent been only half a second in front, there would have been serious consequences possibly resulting in death. This story was reported to the *Sunshine Coast Daily* on 2 April 2009. My constituent is quoted as saying—

I drove to a nearby service station to inspect the damage to the car and then returned to the overpass. When I got back to the site, rocks covered the road.

She called the police and while she waited for them to arrive she said the teenagers continued to throw rocks at passing cars. They thought it was hilarious. They were laughing and yelling out things. When police arrived on the scene, the teenagers ran into the bushes and could not be found. On the same night, another person was the victim of this act. In the same *Sunshine Coast Daily* article it was reported that a man's car was also hit by a large rock. That article states—

The rock was as big as his head as he drove home along Nicklin Way on Tuesday night. He said he would need to pay for the damage because he did not have comprehensive insurance. 'I heard a large bang as a rock that was thrown landed on the roof,' he said. 'I have a soft-top Suzuki and it put a hole through my roof. Luckily I had a roll cage or it would have hit me in the head.'

He said that the teenagers needed to find something better to do with their time.

I mentioned earlier that as a parliament we must look at taking a proactive stance on these issues. To this end, in a letter to the Minister for Main Roads about this issue I recommended a number of measures that could be implemented on overpasses throughout Queensland, in particular, the overpasses that have had rocks thrown from above within and around my electorate. These measures include the installation of a cage or wire fence around the pedestrian way to discourage dangerous practices. This safety mechanism would prevent any missiles being thrown on to the main road from overpasses and is one proactive measure the government could implement to protect the safety of motorists on Queensland roads. I note that the government rejected this idea late in 2008, but I call on the government to conduct an urgent safety audit of all state controlled bridges. In fact, in probably the first time in my life and possibly the last I will ever agree with a union, I note that the TWU called on the government to conduct this audit late last year to no avail.

Government members interjected.

Mr BLEIJIE: We hear interjections on such an important issue. We are talking about motorist safety and we are being interjected on. Another issue is the lack of lighting on some of these road overpasses. Installing lights and having these areas appropriately lit would provide some deterrent.

The third proactive approach would be to educate our young people in our schools. I was pleased to announce in the House last night that next month I will be launching the Kawana electorate schools road safety awareness month. For the purposes of this program we will look at traffic safety, pedestrian safety and teaching young children. It is during the pedestrian and traffic safety week that I intend to hold various forums around my electorate with schoolchildren, including presentations from some victims of rock-throwing incidents.

Teenagers do not understand how serious their actions are when they throw rocks off overpasses. At the time of the act it may all seem like fun and games, but the reality is that it is far from fun and games. Even in the event that a large rock is thrown which does not impact a car, it can then cause a driver to stress, to cause the driver to swerve, which can lead to personal injury or far worse if a car enters the wrong side of the road.

I mentioned my assumption earlier, but it pains me to mention it again, that it is said predominantly youth are responsible for these vicious and cowardly attacks. I can say that witnesses in my own Kawana electorate would testify to that. However, this issue stems from a far wider issue than just throwing rocks. It stems from a downhill slide in the respect that the youth of today have for their parents, elders, teachers and their community. In part that is due to teachers and administrators of schools losing control of disciplinary measures and powers for fear of prosecution—so much so that I suspect in schools around Queensland under this new term of government we will see children given red cards. When the students feel intimidated or the teacher raises their voice or uses a red pen, the student can hold a red card to the teacher or tell them to sit in the naughty corner for time out.

There are always exceptions to this youth assumption, and it is pleasing to see young people elected to this parliament on both sides of the House. It is our job as young parliamentarians to protect the teachers, the parents and the principals and help the youth of today to respect their community and the people in it. Hopefully, in some way that will change the growing trend of disrespect and build a society that we love and appreciate, therefore having a positive effect on our youth and discouraging this type of antisocial and dangerous behaviour. This legislation is a start, but I do hope the government takes on board the proactive approaches to this major issue, as has been called on by me, the victims and even the TWU. I commend the bill to the House.

Mrs SCOTT (Woodridge—ALP) (5.06 pm): I wish to address just one section of this bill, the Crime and Misconduct and Summary Offences Amendment Bill 2009, and that is the section which many people have spoken on this evening of the Summary Offences Act 2005, which deals with the growing problem of rock throwing. This is a totally senseless act which is usually carried out by juveniles, sometimes quite young children with time on their hands, no adult supervision and no thought as to the consequences of their actions. It may be in a small number of cases that the consequences are only too apparent to the juveniles and that they are intent on causing an accident.

These incidents usually occur on major highways such as the M1 or the Logan Motorway, sometimes from a footbridge or simply from undergrowth by the highway. Unfortunately, there have been a number of incidents along the Logan Motorway from within my electorate and further down the motorway in the adjoining electorate of Logan, which is here represented by our Speaker. Trucks, cars and an ambulance have been hit, and the risk of death and injury is ever present.

It was just two years ago when a young woman, a family friend, had a rock pierce and shatter her windscreen on the M1. She was startled, had no idea what had happened, and it missed injuring her by a whisker. Fortunately she was able to pull over to the side of the highway where she discovered a sizeable rock in her car. She is the mother of three young boys. To think she could have had a serious, fatal accident because of the absolute idiocy of some juveniles is just beyond belief. She was shaken and no doubt very frightened.

An overpass pedestrian bridge is under construction between a split campus school between the member for Waterford's electorate and my electorate. It is a very substantial structure and it needs to be caged. I cannot imagine how much this adds to the cost of that bridge.

To date the law last required malicious intent to be a factor in any prosecution. However, it now removes the intention to cause harm, and specific offences relating to rock throwing, throwing a dangerous object or pointing a laser at a driver have now been added to this bill. If there is damage to a vehicle or, even worse, injury or death, then further charges will be laid.

This bill responds to the spate of incidents in recent years. We need to ensure that the message gets out to these juveniles that this conduct is totally unacceptable and could result in serious consequences not only for motorists and their passengers but also for themselves. I commend the bill to the House.

Dr DOUGLAS (Gaven—LNP) (5.10 pm): The Crime and Misconduct Commission faces a significant challenge to both its authority and its ability to investigate serious crime in this state and other jurisdictions. This bill primarily addresses the issue raised in the Scott case, in which the Supreme Court upheld the right of a crucial witness not to give evidence as required. His order of contempt was not upheld because the CMC was ruled to have made an invalid referral.

The minister has appropriately raised the need for amendments and he is to be applauded for his quick decision to address this possible flaw in the act regarding umbrella referrals, otherwise known as general referrals. Minister Dick said that nearly 80 per cent of the major crime investigations undertaken by the CMC and its predecessor the QCC have been conducted under general umbrella referrals. Interestingly, the bill responds to the Scott decision by Mr Justice Jones by validating past, present and future use of general umbrella referrals and the use of information and evidence obtained via those investigations. An appropriate yearly review is mandated.

The original act lasted 10 years operating under the Freshnet umbrella reference and notwithstanding what is being proposed today. This is a reasonable amount of time before a very capable legal challenge was upheld to the law as originally proposed and subsequently implemented.

We live in an imperfect world and there is a constant challenge to authority by criminal networks and highly motivated criminals, acting either alone or in difficult-to-define groups. They have access to our legal processes as a right. On this occasion, one of these has chosen to challenge the Star Chamber rules of the CMC and was subsequently found to be not in contempt.

Appropriately, the minister, on behalf of the state, has moved to close the gap that has appeared. He is to be commended for that. He has chosen to implement retrospectivity in this bill, presumably so as to not jeopardise many ongoing investigations. In general, retrospectivity leads to issues that may deny natural justice to individuals. In more specific circumstances, where the nature of the offence was to circumvent a very valid law that aims to protect its citizens from serious and major offenders, then retrospectivity may be valid and occasionally essential. By agreeing to the requests of the CMC and others the minister has responded correctly.

Crime, like the law, continually evolves. Many honourable members on the government benches believe that, by virtue of the state border, major rivers and bad major arterial roads, modern crime does not and will not occur in Queensland. By inference, the misconception could be that we are five years behind in terms of the norm when it comes to crime prevention. This is dangerous and an improbable error of judgement.

Modern crime-fighting tools include not only phone interception powers and complicated surveillance but also modern laws which respond to those issues that become more complex, more secretive and more innovative in an attempt to circumvent or indeed break valid state and Commonwealth laws. These crimes may be undetected by current methods of investigation and may not be clearly understood.

This leads to my major concern—that it is a constant theme of this and previous Labor administrations to respond to problems as they emerge. They are reactive as opposed to proactive. I do not wish these terms to be confused with what is commonly referred to as the status quo and reform. I will give an example of what I am saying. The amendments to the Summary Offences Act included as part of this bill today mandate that rock throwing becomes a summary offence. There are a host of definitions that cover all manner of situations around this issue that are entirely appropriate. This has been widely discussed today and I will not go through all the terms. It is a reactive change. The issue has been covered at length by the member for Southern Downs. Examples have been given by a number of members including the member for Mudgeeraba and the previous speaker.

It could be said that the obvious next step would be for the minister to suggest that this offence may be grouped with summary offences that are emerging. This may defy an easier description. I will use the example of the habitual graffiti artist who may not be a juvenile and who is seriously damaging both property and the public's right to privacy and an orderly life. This could be an example of proactively grouping summary offences within the context of this bill. This is not included in this bill but is merely an example of proactively grouping summary offences.

Some may wish to know how this varies from the status quo and law reform. A common interpretation could be that reform more comprehensively reviews the views of all the stakeholders and the implications for them of any law that may apply to them. Reform was the setting up of the CMC and its predecessor. It would be very appropriate to see reactive and proactive laws develop from these organisations. Those organisations need to change or they stagnate. This process of multilayered evolution ensures public security and safety. These are major responsibilities of government.

If one accepts that the cycle of change is occurring swiftly and crime itself is changing even more quickly, then the CMC and the CRC will have to respond and change even faster to ensure they remain ahead of the game—that is, ahead of the criminal. This task is a major challenge, but within several years of a standing start the QCC and the QCCMC morphed into the CMC and the CRC. This rapid adaption has biological parallels. It has not always been perfect but it was a very good start.

I have no crystal ball to see what will come next, but make no mistake: change is a certainty and it will occur faster than we both like and expect. To account for this—and from close examination of the speeches by members both on this issue and on the Telecommunications Interception Bill—I would suggest that the CMC and CRC need to have a more efficient mechanism to address both the immediate issue raised by the Scott decision and the wider issue of more complex crime investigation, monitoring and prosecution.

My major concern is the increasing evidence suggesting that up to 15 mobile phone SIM cards are being found on routine offenders for use in complex internet money laundering—this includes paedophiles because a lot of them are drawn into money laundering—and identity theft. Newly emerging evidence is that outlaw motorcycle groups have extensive international connections. The potential sums of money involved make these crimes more profitable. But with much more substantial financial outlays on the part of both crime networks and investigative bodies we may well get the upper hand. We should aim to do that. These criminal investigation organisations need increased financial and human resources to address these criminal evolutionary changes if they are to not just keep one step ahead of the crime but indeed reduce and shut down these networks. At a similar speed, the laws within which they operate need to be addressed. It is a difficult question, but life is not easy nor are all problems simple. Complex problems sometimes require complex solutions.

I think at this time it is appropriate to say that I am aware in general terms that the former Attorney-General, the member for Toowoomba North, who spoke earlier, and the newly appointed Attorney-General, Minister Dick, are held in high regard by our legal profession, judicial processes and investigative organisations. This relationship implies that forward progress can be made by this government for the benefit of the public interest by proceeding to proactively advance modern, progressive laws. One must never miss an opportunity in time.

It is important as a first step that the outlaw motorcycle club criminal links be severed. It is equally important to remove the scourge of amphetamine production and distribution as a matter of urgency in this nation.

I would propose that honourable members consider the need to occasionally implement laws at the next possible sitting of parliament. This must occur when a significant legal challenge demands it. This must become the norm. The recent recommendations of the CMC and CRC need to be immediately reviewed to ascertain whether failure to implement has weakened our community safety.

I am not proposing a police state nor a progression to obscene state control over our lives, but we must acknowledge that there are significant groups of defenceless individuals who are living their lives in fear and who are actively being preyed upon by criminal networks. There are many historical precedents to this here and abroad, and they are the Al Capone group in north-east America and the Trimbole network in Griffith in Australia. Most members may be aware of the recent Lacey brothers' trials, which have been concluded, where Kevin Palmer was murdered in a Nerang unit in the Gaven electorate in May 2007. Recently, a witness to the murder has admitted giving false evidence to the Crime and Misconduct Commission through fear of a friend connected to the Lacey brothers. The witness was recently quoted—

Mr MOORHEAD: I rise to a point of order. I understand that the matter to which the member for Gaven refers is currently on appeal and therefore subject to the sub judice rule of this House.

Mr DEPUTY SPEAKER: I call the member for Gaven and remind the member for Gaven about that particular standing order.

Dr DOUGLAS: I quote from Aung San Suu Kyi, the Nobel Peace Prize winner in 1991. She said—

It is not power that corrupts but fear. The fear of losing power corrupts those who wield it and fear of the scourge of power corrupts those who are subject to it.

For those who require an explanation, what this remarkable woman is saying is that doing nothing leads to corruption of those who are subject to fear. Fear is the most powerful human motive for adaptive change and actions following from it. The role of democratic government and its agencies is to deliver the means to its agencies to ensure that the public is not being subjected to fear from those whom they cannot protect themselves from. The member for Toowoomba North correctly highlights the need for care when changing criminal law. The bill is entirely necessary and is to be commended and supported. The issues I have raised would seem to be those that might be considered as a result of both recent action of crime groups and the expected challenges to our laws made by criminals and their associates. We need to keep ahead of crime groups and individuals. We need to demonstrate the will to force adaptive change at a rate that most crime groups and also those who perpetrate lesser anonymous types of offences may find difficult to sustain. As a result, those offences should diminish.

Interruption.

ORDER OF BUSINESS

Ms SPENCE (Sunnybank—ALP) (Leader of the House) (5.21 pm): I advise honourable members that the House can continue to meet past 6.30 pm this day. The House can break for dinner at 6.30 pm and resume its sitting at 7.30 pm. The order of business shall then be government business followed by a 30-minute adjournment debate.

CRIME AND MISCONDUCT AND SUMMARY OFFENCES AMENDMENT BILL

Second Reading

Resumed from p. 538.

Mr MOORHEAD (Waterford—ALP) (5.22 pm): I rise today to support the provisions of the Crime and Misconduct and Summary Offences Amendment Bill 2009 and will limit my comments specifically to those matters dealing with what has now become known as the rock-throwing offence. I represent an electorate that has major arterial motorways as a key part of its transport network. The eastern boundary of my electorate is the Pacific Motorway and through the middle of my electorate through Meadowbrook, Tanah Merah, Loganholme, Loganlea and Kingston is the Logan Motorway. In the part of the world that I represent, these major arterial roads are surrounded by residential communities and often there is pedestrian access over the top of these roads. While many people might drive on arterial roads once in a while or on their way to work each day, driving on these arterial roads is a day-to-day occurrence for my constituents and they want to know—and I hope this bill will contribute to that—that they can travel on those roads safely. This bill will continue to progress the work towards protecting travellers on those motorways and ensure that people who do engage or might be thinking of engaging in rock-throwing activity understand not only its danger to people and property but also the seriousness with which the community judges this type of offence.

This bill will ensure that the act of rock throwing of itself is an offence under the Summary Offences Act without the requirement for the prosecution to prove that the person throwing the rock had some intention to cause harm or damage to those travelling on the road. The removal of the element of intent is a move that we should consider very carefully and should be weighed up in our common law tradition of criminal law that says that people should not be punished for something that is beyond their control or not within their intention. But, in this case, it provides an offence with a maximum penalty of two years imprisonment for the very act of rock throwing. There is also a range of other offences which people who are engaged in this type of activity may commit, and they include grievous bodily harm, offences under section 319 where a person is endangering the safe use of a vehicle with the intent to injure and endanger the safety of another person, assault, the use of a vehicle that endangers life as well as wilful damage to property, and, in the worst of circumstances, that a person can be guilty of manslaughter or murder for undertaking this practice.

This legislation recognises that the act of rock throwing is inherently dangerous and of itself is something that we should prevent. It is not an area where we should wait until someone is injured, but we should ensure that there is the ability to prevent people being at risk from rocks being thrown on their moving vehicles. However, this legislation is only one part of that. I know that the department of main roads has put a lot of effort into ensuring that pedestrian access around arterial roads is protected and is done in such a way that makes rock throwing impossible.

As the member for Woodridge said, the department of main roads is currently constructing a pedestrian overpass between the Mabel Park Primary School and the Mabel Park State High School on Paradise Road in Slacks Creek. That design is, I must say, of the highest standard and provides a comprehensive cage structure around that pedestrian overpass to stop people throwing rocks at cars travelling under that bridge. I also know that improvements have been made to pedestrian overpasses over the Logan Motorway to prevent this type of behaviour.

Ideally, the best form of protecting local residents using these roads is to ensure that it cannot happen in the first place. While it is a serious step to take to remove the element of intent for the requirement of an offence to be proven, as in this case, it is one that I think is justified in the circumstances of communicating just how seriously rock throwing affects our community and just what danger it puts people in. I commend the bill to the House.

Mr DEMPSEY (Bundaberg—LNP) (5.28 pm): I rise to contribute and support the debate in relation to rock-throwing offences contained in the Crime and Misconduct and Summary Offences Amendment Bill 2009. In observing the words 'rock-throwing offence', one could quite easily look back at one's childhood of innocent times and remember the fun growing up with mates and competing with each other whilst trying to hit a target.

However, times have changed and rock throwing for some mindless members of the community has turned into an act of sheer stupidity that can dramatically affect or take the lives of members of the community. Throwing objects at vehicles and public transport has a serious impact not only on the

drivers and passengers but also on the community overall. Rock throwing impacts on the community through people's increased fear for their own safety. It may result in the withdrawal or even the increased cost of public transport overall. If this type of offence is not deterred, it will have an enormous financial cost to the community in terms of repairs and the covering of roads and pathways as well as increased security measures to negate people's worries and concerns.

Media reports indicate that this offence has never been more evident. Recent incidents include an overhead rock attack on an ambulance taking a sick child to Ipswich Hospital. Another incident was a rock being thrown at a bus, smashing a window and injuring a passenger. Such events may start off as a simple act, but they can quite easily turn into very serious incidents that have very serious consequences.

A number of members of this House who have experience with criminal law trials have mentioned to me that it has been clear to them that when someone is on trial for the offence of intentionally inflicting grievous bodily harm, the jury may sometimes look at a less serious charge on which to convict that person. It is good to have alternative offences for this serious type of behaviour, because it provides reasonable sentencing options and alternative penalties that reflect modern-day views. However, just because nobody is injured, under the law object throwers should not be absolved from blame or any serious consequences.

The explanatory notes to this bill state that the bill seeks to amend the Summary Offences Act 2005 by introducing a specific offence of rock throwing or other conduct that endangers or is likely to endanger the safe use of a vehicle. A number of our emergency services crews have attended incidents which have involved unruly behaviour, such as gatecrashing, or they have attended other incidents such as fires that require the attendance of the police or the ambulance or the fire brigade. Those emergency services personnel should be able to attend those incidents with some form of protection from the law that truly reflects the seriousness of any damage that is inflicted on either a person or a vehicle.

It is good to see that the amendments to the Summary Offences Act define a vehicle as including a motor vehicle, a train, an aircraft, or vessel, or anything else that is used for carrying persons or goods from place to place. Although it is also good to see that the maximum penalty for this offence is two years, when we compare that penalty with the penalty that is applied in other states, such as New South Wales and South Australia, which is five years, the public's view is somewhat enhanced that this state Labor government is soft on crime.

While it is obviously quite pleasing that this bill imposes a penalty for such actions to reflect community expectations, it is also a little bit disappointing to note that when the opposition tried to introduce gatecrashing laws in the last parliament, they were pushed aside. Those gatecrashing laws would be a simplification of offences that directly affect emergency services when they attend either a riot or a suburban party that has got out of hand. I implore the government to consider that legislation that was presented previously and possibly present it to the House at a later date.

I do not want to be cynical, but the imposition of a penalty of two years compared to the penalty of five years in the other states could reflect the fact that not much has been built in this state for the past 20 years. So there are fewer roads, fewer bridges, fewer covered walkways and fewer overpasses. Obviously, less infrastructure means less opportunity. That is a truly Smart State policy!

We should ensure that a greater emphasis is put on education, because through education and long-term initiatives we can cut down on the huge cost that is incurred when having to implement infrastructure and security measures. Crime needs to be approached from multiple angles so that both the cause and its effects on the community can be tackled. By having an interdepartmental approach and educating mainly the youth within the community, hopefully we can deter them from engaging in actions that may start out quite innocently but have a severe impact on their lives as well as on their employment.

I would like the state government to implement a strong advertising campaign to target these offenders—and not just the young offenders, but those members of the community who are out there doing the wrong thing in terms of the safety of road users. With those few words, I would like to commend the bill to the House.

Mr HOBBS (Warrego—LNP) (5.36 pm): I am pleased to speak to the Crime and Misconduct and Summary Offences Amendment Bill 2009. As the shadow minister and other members on this side have said already, the opposition will be supporting this legislation.

The outcome of the Scott v Witness C court case has had some serious flow-on consequences to other cases in this state. It is important that we ensure that the original intent of legislation remains intact so that people can be convicted of an offence without that conviction being overturned for a minor reason. That is what occurred in relation to Scott v Witness C. This bill will fix that anomaly so that no other referrals or no other legal opinions allow people to get off their charges.

The other very important aspect of this bill relates to the offence of rock throwing. We have already heard some examples of what has happened as a consequence of rock throwing. Recently, while in Sydney I rented a car from the airport and headed off. I went under a bridge that I do not think was a pedestrian bridge, so I suspect—and I hope—a rock or a part of a vehicle came down from above. It hit the windscreen. It did not come through the windscreen, but it gave it a pretty fair star and made a hell of a noise.

An honourable member: Not this state; it was New South Wales.

Mr HOBBS: New South Wales, yes. It was the first time that I had been involved in anything like that. It certainly brought home to me what could have happened if a brick or a big stone had impacted the windscreen. We have heard of that occurring and serious injuries being inflicted. At present, we have laws that cover such activity, such as endangering the safe use of a vehicle or related transport infrastructure, endangering the safety of a person in a vehicle with intent, wilful damage, acts intended to cause grievous bodily harm or other malicious acts, grievous bodily harm, or, if death results, murder or manslaughter. The maximum penalty for these offences range from five years imprisonment to mandatory life imprisonment.

For example, if property damage such as a shattered windscreen resulted from rock-throwing conduct police could charge wilful damage, which is punishable by a maximum penalty of five years imprisonment. Under the previous legislation people could only be charged if there was personal injury, property damage and there was proof of malicious intent. The way I see this act, there is no reliance on proof of intent and the offence can apply where there is no personal injury, property damage or the conduct does not result in any actual endangerment. This is good legislation in that sense and hopefully will stop many of these people who deliberately throw rocks from bridges.

The important issue of laser pointing is contained in the bill. Pointing a laser at a car in traffic can cause enormous damage. I presume that pointing a laser at an aircraft comes under Commonwealth legislation. It can have similar consequences. In recent times there have been cases of lasers pointed at aircraft.

Mr Nicholls interjected.

Mr HOBBS: No, thank heavens for that. People in Warrego would not do that. There could be serious consequences. As aircraft have come in to land they have had red laser lights pointed at them. It is obviously a very serious situation. This legislation should improve the situation in Queensland and I commend the bill to the House.

Ms STONE (Springwood—ALP) (5.41 pm): I am very pleased to rise to speak on the Crime and Misconduct and Summary Offences Amendment Bill 2009. My comments tonight will be limited to the rock throwing part of the bill. I heard the member for Bundaberg say that we are too soft on crime. The only thing that was soft was how he spoke about this bill. I do not intend to be soft. This bill targets the behaviour of gutless and cowardly offenders who throw rocks off our bridges at vehicles travelling at high speed along our motorways and are therefore at very serious risk of a fatal accident caused by this stupidity.

In Logan City we have had too many incidences of this cowardly act. Drivers and their passengers have been put at risk of serious injury or death because of it. We certainly do not want to tolerate it anymore. Other motorists and their passengers are also put at risk of serious injury or death because of this act.

The incidents most of us remember relate to our emergency services vehicles—our ambulances—that were targeted by rock throwing. I do not know anyone who could condone this type of behaviour. We need to send a very strong and clear message to those who commit this offence. That is why I am pleased to see the offence carry a maximum penalty of two years imprisonment, regardless of whether someone involved in the incident is hurt or not. Taking two years out of someone's life is certainly a strong message that I am glad we are sending.

The activity is endangering the lives of those travelling in the vehicle involved as well as the lives of those around that vehicle. The possibility of a fatal accident is real. One can imagine the scene of devastation, the tragic loss of life, the years of suffering and pain of the injured; one can imagine the traumatic memories that haunt our emergency services personnel attending, witnesses and the funeral industry staff who come to remove the bodies from these scenes. This type of offence does not only affect those directly involved; it has the potential to affect many.

The incidents involving our ambulances were certainly disgusting. These types of incidents carry the risk of a fatal accident involving our ambulance officers on their way to a code 1 and the risk of the death of the patient who as a result would not have an ambulance arrive within its appropriate response time. It goes on and on. As I say, it is quite disgusting.

I am extremely pleased to see this bill introduced. This is a crime that an offender really should be ashamed of. We have had rocks thrown at a bus resulting in injury to a female passenger. We have had truck drivers suffer eye injuries. I am pleased to see that this new offence will provide police with further

charging options, particularly in the less serious cases where it has been from only sheer luck that we have not seen carnage. People travelling on our roads and motorways need to know that they can drive without fear of such stupidity. I know that this bill is welcomed by my electorate and I commend the bill to the House.

Mrs STUCKEY (Currumbin—LNP) (5.43 pm): In speaking briefly to the Crime and Misconduct and Summary Offences Amendment Bill 2009 introduced into the House on 23 April this year by the Attorney-General and Minister for Industrial Relations, I acknowledge that the opposition will be supporting this bill. The explanatory notes state that the primary objective of the bill is to make amendments to two acts: the Crime and Misconduct Commission Act 2001 and the Summary Offences Act 2005. I wish to contain my remarks to the amendments to the Summary Offences Act 2005.

In his second reading speech the Attorney-General notes that Queensland already has at its disposal a range of criminal offences that could apply to rock-throwing conduct. However, the government did judge it essential to create a specific offence directed at rock throwing and other dangerous conduct such as directing a laser pointer at a vehicle.

It would appear that recent public uproar and frightening incidents have prompted the government to look at ways to strengthen existing laws and make them more specific. The proposed offence does not depend upon proof of malicious intent and applies where the behaviour may jeopardise the safe use of the vehicle but does not apply to vehicles parked in a car park or driveway. There is provision, though, for cars stationary at traffic lights or stuck in a traffic jam—which I must say on the Gold Coast we are very well used to—to be covered by the rock-throwing offence. Senseless damage to unsupervised stationary vehicles and other property happens on an all-too-frequent basis and is extremely difficult to police as the acts often happen in the middle of the night and often in private locations.

Unfortunately, there are numerous examples in past years of incidents that would be covered by this amendment. Late last year on the outskirts of my own electorate of Currumbin an outrageous attack was delivered upon an ambulance as it headed to an emergency with lights and sirens blaring. On the night of 21 December 2008 two paramedics were travelling in an ambulance along the Pacific Motorway at Palm Beach when, in what can only be called an extremely reckless and dangerous act, a 15-centimetre steel bolt smashed through the windscreen of the ambulance and left the paramedic driver with glass in his eye. He required hospital treatment but showed incredible commitment to his job by continuing on with the emergency call-out, to a woman lying unconscious in a Gold Coast park, before seeking help himself. The cowards who participated in this deadly activity have not been caught and, not surprisingly, they have not come forward. Whether this incident was a deliberate attack on a Queensland ambulance or not, actions such as this put so many lives in danger. Projectiles such as rocks, marbles and metal bolts, as we saw in the incident I mentioned, become lethal weapons when thrown at vehicles. They can be just as lethal as stabbing or shooting.

Another major problem that is on the rise and needs to be urgently addressed by this government is known as glassing. Similar to the offence of rock throwing, a glass can be used as a missile but it can also be used as a hand-held weapon. Both of these actions are unacceptable attacks on largely innocent and unsuspecting individuals that need to be addressed in our society. I applaud the government for identifying rock throwing as an offence deserving of a specific amendment. However, urgent attention must also be given to bring in new laws to curb the incidence of glassing in our local licensed venues. It is hoped that the government will bring in new legislation in this regard soon.

As with the above example of a missile attack on a Queensland ambulance, more and more assaults are being committed on our dedicated Queensland Ambulance Service operators as they go about their business of saving lives. Together with the majority of the general public, and I am sure members of this House, I voice my utter disgust and contempt for those who physically harm our ambos as they act in the course of duty.

As is the case in other suburbs, some overpasses and bridges in the electorate of Currumbin do not have adequate fencing to stop either rock throwing or bridge jumping, which is another hazardous activity. The installation of high protective fencing warrants immediate attention because, as we know, finding the culprits in rock throwing is always going to be a hard task. Therein lies the major obstacle to the success of this legislation. A large number of incidents occur from overpasses to our major roads and to vehicles travelling at around 100 kilometres per hour. By the time the victim of the missile has the opportunity to stop safely on the road, the offenders have well and truly left the scene. And the victim is not able to provide a description of the offender due to the fact that they probably did not even see them, only realising something was amiss when the rock or other object hit their vehicle.

We have heard from other honourable members about personal experiences of missile attacks, and I can attest to the fact that it is a terrifying experience indeed. A few years back I was travelling along the M1 near Exit 92, which is in Currumbin, doing the 100-kilometre limit. As I attempted to move into the left lane so that a truck could pass me, a rock the size of a child's fist hit my windscreen, making a sound like a gunshot. Momentarily stunned, I soon realised what had occurred and was truly thankful that the rock had hit on the passenger side of the windscreen and I had been able to maintain control of my car. I must also say that I was very pleased that I did not have a truck on my car's rear end!

Another factor that will hinder a degree of this amendment's success is the shortage of adequate police numbers on the Gold Coast and, with the huge workload they have, the chance of securing an arrest is very limited. News that approximately seven officers will be transferred from the Palm Beach Police Station to the new one at Reedy Creek will stretch our thin blue line even more.

Rock throwing is a very serious offence and has the potential to permanently maim or kill and is deserving of recognition in this legislation. This government, however, needs to recognise that its obligations to protect Queensland's public does not stop there. It needs to upgrade some of these hot spots where the incidents occur and instal CCTVs to protect the public. We need to make sure that any offender who is apprehended is dealt with and given meaningful penalties. The penalty of two years jail does not apply to juveniles. As most rock-throwing offenders who target moving vehicles are juveniles, a school education program needs to accompany the new legislation to highlight the fact that the act of rock throwing can be lethal and is not just a funny prank. Our youth must be made aware of what the dire, if not deadly, consequences of their actions can be.

Whilst I have said that I applaud the intent of this amendment to the Summary Offences Act, unless juveniles receive a substantial penalty, this legislation, according to a number of our state's law enforcers, is impotent. Kids as young as 10 and 12 have been caught chucking rocks and other items at cars, and there is a real concern in our community from residents and youth workers that because some of these kids, if they are caught, receive only an admonishment, they go on to do graffiti, break and enter and take drugs. This is no exaggeration.

One case recently brought to my attention involved a 12-year-old who had been fined 20 times for various offences including many of the above. The police are powerless to do much. The parents are at their wits' end and the child does not care. If there is no intervention, this child will be a seasoned criminal by 16, with poor education and little hope of a life outside bars once, or should I say if, they reach adulthood.

As stated, the intent of this amendment is sound but has not dealt with the critical issue of preventing our youth from participating in this behaviour, which can well lead to more serious criminal acts if offenders are not penalised in a way that affects them directly.

Hon. NS ROBERTS (Nudgee—ALP) (Minister for Police, Corrective Services and Emergency Services) (5.52 pm): I am pleased to speak in support of the Crime and Misconduct and Summary Offences Amendment Bill 2009. The aspect of this bill that has particular significance for me, as Minister for Police, is the amendments to the Summary Offences Act 2005 to insert a specific offence applying to rock throwing and other specified conduct which endangers or is likely to endanger the safe use of vehicles.

Police and Emergency Services personnel in Queensland are sometimes called to attend at scenes of road accidents where the accident was caused by someone throwing an object on the road. The incidence of these rock-throwing offences is growing, and members of the community have been rightly concerned about this conduct.

Where there is personal or property damage caused by the throwing of the object, there is already a range of offences in Queensland with which they can be charged. Police have, until now, been almost powerless to deal with situations where no personal injury or property damage has occurred, or where proof of malicious intent cannot be proven. This new offence will fill this gap, and add another weapon to the arsenal of police in combating dangerous conduct on our roads.

Ambulance drivers and fire and rescue personnel spend a lot of time on the roads, and their sometimes challenging and difficult job is made even more challenging and more difficult by incidents such as those that have been reported in the media where rocks have been thrown at passing emergency services vehicles. If a vehicle is damaged, this may mean the difference between life and death. Luckily, there have not been any incidents where this has occurred to date, but imagine the effect on everyone concerned if an emergency vehicle were unable to attend to someone in time to save their life because it had been damaged in such an incident.

In fact, on 22 and 23 March this year, ambulances were hit in two rock-throwing incidents in the one night—in fact, within a period of two hours. The first rock-throwing attack happened about 11.30 pm on Brisbane Road near the Dinmore Fire Station while paramedics were transporting a two-year-old girl with breathing difficulties to Ipswich Hospital. The child and her parent were slightly shaken but fine and minor damage was caused to the ambulance. The second attack occurred at about 1.30 am on the Mount Lindesay Highway at Regents Park while an ambulance crew were heading back to their station when a rock hit and smashed the left rear window of the ambulance.

On the same night a truck driver was injured. The crew from the previous incident were on their way to collect a replacement vehicle when they responded to a truck driver whose windscreen was struck and smashed by a rock in the same location. The truck driver was treated for eye injuries and taken to hospital by a second crew after shards of glass flew into his face from the shattered windscreen.

The proposed offence will be referred to as endangering the safe use of a vehicle by throwing an object or by a similar activity and applies to any person who throws an object at or places an object in the path of a vehicle that is travelling. Another limb to the offence is where a person directs a beam of light from a laser at or near a vehicle that is travelling. New South Wales, South Australia and the Northern Territory have already enacted specific offences related to throwing rocks or other objects at vehicles, and this new Queensland offence will cover this same conduct.

Queensland has not been standing still on this issue. Last year the former Attorney-General brought in the new offence of endangering the safe use of vehicles with intent, which carries a maximum penalty of life imprisonment, and covers the more serious end of the spectrum. This new offence will cover the lower end offences, where a person may not act with malicious intent but still acts with gross stupidity and little regard for others in our community and by sheer luck manages not to cause injury to someone or damage to their property. Whatever end of the spectrum you fall within, the message here is clear—throwing rocks at vehicles is never a joke; it is deadly, reckless behaviour.

Mr MESSENGER (Burnett—LNP) (5.56 pm): I rise to give support to the Crime and Misconduct and Summary Offences Amendment Bill. This is an important piece of legislation which will help the officers of both the CMC and the QPS do their job, and I wholeheartedly support this legislation.

As has been pointed out by many members of this House, the case of *Scott v Witness C* (2009) undermined the general referral process. This amendment proposed in part of this legislation seeks to ensure that the intent of the original legislation affecting the investigative powers of the CMC is upheld and able to be continued. I congratulate the Attorney-General for introducing this legislation to this place. He has only been here a very short time. He has done some good things and some bad things. I was a bit concerned about the way that he continued to ignore the fact that we have an organised crime problem here. It is a bit like that ad—and, once again, organised crime is the subject—where a fellow jumps up and says, ‘Organised crime—what organised crime?’ But it is certainly here. This is the organised crime capital of Australia, undoubtedly. This legislation will go a way to helping us solve that problem.

I note that, in the Attorney-General’s speech regarding changes to the CMC Act, nearly 80 per cent of the major crime investigations have been conducted under the general umbrella referrals, leaving the remaining 20 per cent of major crime referrals to be investigated under specific stand-alone referrals. The legislation, as I have mentioned, will greatly enhance the CMC’s ability to fight major crime including money laundering, outlaw motorcycle gangs, terrorism, paedophilia and recidivist child sex offenders.

I would briefly like to speak to that subject of recidivist child sex offenders. I remember reading a report on those people which was done in the United States. I have already tabled it and mentioned it before in this place. It is worthwhile to think about these people. If you can call a rapist ordinary—rapists, being non-child rapists, were surveyed in this study. The question that was essentially put to these people was, ‘How many rapes did you get away with before you were caught and convicted?’ On average, it was about 7.5. When that question was placed to recidivist child sex offenders, the number rose from around 7.5 to more than 70. For every victim we hear about, there are a mountain of people before them. That is a fact we should keep in mind when we are discussing issues like this, and it is another reason why we should pass this legislation.

With your indulgence, Mr Deputy Speaker, I would like to briefly sing the praises of the officers of the CMC. Over the last five years, I have on many, many occasions referred alleged criminal or corrupt activities to Mr Needham and his officers. It is a well-worn path, as I have taken many people there and made many allegations. I think the last matter I mentioned in this place that had been investigated by the CMC has subsequently been referred to the DPP and has the potential to be a serious criminal case and may be affected by this legislation. I stand to be corrected by the Attorney-General, but it is a case where consultants with links to the Labor Party were allegedly paid \$2.5 million by Queensland Health for adding five pages, or \$500,000 per page, to a 258-page report which examined the toxic hospital waste water. I ask that the Attorney-General, during his summation, detail for the House the steps that his department has taken to deliver justice, transparency and public accountability to the people of Queensland.

As I said, my contribution will be very short. Who would have thought if you were sitting in this place 20 or 30 years ago that politicians today would be debating legislation that would make using laser pointers the subject of penalties. It would have been the stuff of science fiction 20 or 30 years ago, but in the 21st century it has turned into scientific fact—a deadly fact, indeed.

I am pleased that a new offence of endangering the safe use of a vehicle by throwing an object or similar activity has also been included in the Crime and Misconduct and Summary Offences Amendment Bill 2009. However, I would like clarification from the Attorney-General about whether this legislation will also cover watercraft. Whenever you travel around Brisbane and walk across the bridges, you see the ferries and CityCats on the river. I would like some clarification that this legislation does cover those vehicles.

Mr Dick: Yes.

Mr MESSENGER: We have received clarification. Thank you very much. I was pleased to hear the contributions from many members in this place, and I was especially happy to hear the member for Bundaberg's contribution. He suggested that we should not forget that these people need to be educated. Indeed, many of the people who will be charged because of this legislation will be children. That then poses the question: how do we educate recidivist young offenders? How do we educate these children so they actually care and understand that their actions can produce human misery, suffering and potentially physical and mental harm?

On that subject, I would like to suggest that the Attorney-General consider the Hard Yakka Boot Camp which is run by a wonderful man called Bob Davis. He has had wonderful results for children. This boot camp is situated in Hervey Bay, and I know that the member for Hervey Bay gives it great support, as I do and the member for Bundaberg does. This boot camp takes young recidivist offenders who behave in these antisocial ways and puts them through a program that has been designed by Bob Davis. I have been out there and I have visited Bob Davis. He is an ex-SAS Army person; however, he has a real heart for the children and he has designed a program that can help educate children in this particular area. With those few remarks, I commend the bill to the House.

Ms CROFT (Broadwater—ALP) (6.04 pm): I rise to speak briefly on the Crime and Misconduct and Summary Offences Amendment Bill. This bill amends the Crime and Misconduct Commission Act 2001 to clarify the intended operation of the crime commission's referral mechanism. The CRC, the Crime Reference Committee, is an independent body that refers to the CMC for investigation major crimes such as organised crime, paedophilia, terrorism and criminal activities involving an offence punishable by no less than 14 years imprisonment.

The bill responds to the *Scott v Witness C* judgement of 4 March 2009 from which the validity of umbrella referrals was questioned. The bill amends section 5(2) of the CMC act to generalise the reference to include 'particular cases of major crime' to ensure that the CRC is able to refer umbrella referrals that broadly describe a major crime activity to be investigated without having to specify individuals, groups or events.

In addition, this bill addresses community outrage and the serious concerns regarding the increasing incidents of people throwing rocks and objects onto moving vehicles. This year a number of news reports highlighted a concerning trend of deliberate rock throwing. In March this year, a rock-throwing incident left a bus passenger with an injury to her arm. The passenger was travelling through Alexandra Hills when a middle window on the driver's side of the bus was shattered. Glass fragments caused lacerations to the female passenger sitting next to the window. I understand that a rock used as a projectile caused the damage to this bus.

On 13 July, rocks were thrown at two trains from a Woombye overhead rail bridge. A northbound Citytrain had two windows smashed, and shortly afterwards a northbound tilt train had four windows smashed. No-one was injured, thank goodness. However, repairs had to be made to the tilt train before it could continue its journey. In the same week in Cairns, a fist-sized rock hit a truck driver's window as he drove on the Bruce Highway through the Cairns suburb of Mount Sheridan at about 4 am. There have been many more reports of rocks and objects being thrown at vehicles. Some vehicles were on major highways travelling at speeds of up to 100 kilometres per hour and, most disturbingly, some of these vehicles were emergency service response vehicles, such as ambulances.

The QTU and the trucking industry, as well as the wider community, demanded tough new laws to tackle this behaviour. The Attorney-General responded quickly to these concerns and introduced this bill into the House at the first sitting of this parliament after the election, and at the Attorney-General's very first sitting since being elected into parliament as the member for Greenslopes and being appointed as Attorney-General.

It is clear that this Labor government is tough on crime. It is clear that the Attorney-General is charged with the commitment and the dedication to listen to community views and, as the chief lawmaker, respond to those concerns practically and efficiently. This indeed meets community expectations. This bill makes it a specific offence of endangering the safe use of a vehicle by throwing an object or a similar activity. The provisions cover placing an object in the path of a moving vehicle and directing a beam of light from a laser at or near a vehicle that is in the course of travelling. The bill provides that the maximum penalty for this offence is two years.

I want my communities to talk about this new law to ensure that those thinking of participating in such behaviour that would result in objects or laser beams being directed at moving vehicles know that it is now a crime, that the penalty is two years and that clause 17 of this bill in fact reverses the onus of proof. I thank the Attorney-General for making these changes and commend the TWU and the trucking industries for the strong campaigns they ran to get these changes implemented for the safety of their members and for the wider community. I commend the bill to the House.

Hon. CR DICK (Greenslopes—ALP) (Attorney-General and Minister for Industrial Relations) (6.08 pm), in reply: At the outset, I thank all honourable members for their contributions to the debate on the Crime and Misconduct and Summary Offences Amendment Bill 2009. In particular, I thank my colleagues on the government side of the House for their contributions. The Crime and Misconduct and Summary Offences Amendment Bill contains amendments to the Crime and Misconduct Act 2001 and the Summary Offences Act 2005. The amendments to the Crime and Misconduct Act 2001 validate the past, present and future use of general umbrella referrals for major crime investigations and subject general referrals to periodic review to ensure they remain appropriate over time. The bill remedies the impact of the decision in *Scott v Witness C* (2009) QSC 35. In doing so, it gives effect to the intended operation of the crime referral arrangement in place under both the repealed Crime Commission Act 1997 and the current Crime and Misconduct Act 2001.

In response to growing community concern about the prevalence of rock-throwing conduct, the bill amends the Summary Offences Act 2005 to insert a specific offence applying to rock throwing, laser pointing and other specified conduct which endangers or is likely to endanger the safe use of vehicles. The offence is punishable by a maximum penalty of two years imprisonment and complements the existing suite of offences contained in the Criminal Code as well as other Queensland legislation. The proposed offence is not reliant on proof of intent and can apply where there is no personal injury or property damage or where the conduct does not result in any actual endangerment.

I will now address some of the matters raised by honourable members during this debate. The member for Southern Downs raised the issue of the penalty proposed under this offence. As with any penalty in the Criminal Code, it will be subject to constant oversight and review to ensure it reflects community expectations. It should be noted that, given that the new offence has no intent element and there is no requirement for damage or injury to result from the conduct, a maximum penalty of two years imprisonment was considered appropriate. I can advise all honourable members that serious and detailed consideration was given to the extent of penalty that should be imposed.

Further, the proposed penalty aligns with the penalties provided for two similar offences in Queensland's Criminal Code. The offence of endangering the safety of persons travelling by railway, which is contained in section 329 of the Criminal Code, applies to a person who by any unlawful act, or by any omission to do any act which is the person's duty to do, causes the safety of any person travelling by any railway to be endangered.

Another comparable offence and penalty is provided in section 230 of the Criminal Code. The offence entitled 'common nuisances' applies to acts with respect to property under the person's control by which danger is caused to the lives, safety or health of the public and is punishable by two years imprisonment. This offence is not an endangerment offence, per se, as it is based on common law principles of public nuisance.

Also, it must be remembered that police can deal with more serious examples of rock-throwing conduct by charging one of numerous code offences which would apply to this conduct depending on the circumstances of the case. If, for example, property damage results from the conduct then police could charge wilful damage, which is punishable by a maximum penalty of five years imprisonment. Other charging options include endangering the safety of a person in a vehicle with intent, which has a maximum penalty of life imprisonment; acts intended to cause grievous bodily harm or other malicious acts, with a maximum penalty of life imprisonment; grievous bodily harm, which has a maximum penalty of 14 years imprisonment; or, if death results, murder or manslaughter, which is punishable by mandatory life imprisonment and life imprisonment respectively.

With respect to the issue of why Queensland has a different maximum penalty to other states for similar offences, I note that it is important to look not only at the new offence but also at the range of related offences in Queensland and the range of related offences that exist in other states. I would encourage honourable members on the other side of the House to do this. On this point I note that currently in Queensland the most applicable offence to rock throwing and other dangerous conduct is the newly inserted section 467 of the Criminal Code. This offence, which commenced operation on 1 December 2008, consolidated various endangering offences directed at railways, ships and aircraft into an offence of general application. The new offence was intentionally drafted to extend to the endangering of vehicles being driven on roads. This offence in section 467 applies where a person, with intent to prejudice the safe use of a vehicle or related transport infrastructure, such as a road, or to injure property in or on a vehicle or related transport infrastructure, does anything that endangers, or is likely to endanger, the safe use of the vehicle or related transport infrastructure. The offence carries a maximum penalty of life imprisonment.

The section 467 offence applies to all vehicles and is not limited to certain conduct. Therefore, the offence would prima facie apply to a person who threw rocks at a car, pointed a laser at a car or placed an object on a road, provided the act was done with the requisite intent. The important factor for the House to note is that, unlike Queensland, South Australia, New South Wales and the Northern Territory, which have enacted specific rock-throwing offences, do not have an endangerment offence similar to section 467. The proposed offence, which does not require any proof of intent, is therefore a lower level

and complementary offence to section 467 and provides a further charging option for police depending on the circumstances of the case. The Queensland penalty is therefore part of a continuum that ranges from two years to life imprisonment, depending on the conduct.

The member for Mudgeeraba raised the issue of juveniles committing these crimes. It is recognised on both sides of the House, I hope, that these offences may often be committed by young people. Where juveniles commit this offence it will be dealt with by the courts in the same way that existing criminal offences under the Summary Offences Act are dealt with. Where juveniles are found guilty of this offence they will be subjected to the full range of criminal penalties as provided in the Juvenile Justice Act. This may include a custodial sentence where appropriate in the circumstances as well as a range of other penalties.

The member for Gaven suggested that this bill is evidence of a reactive approach. This may be accurate, but not in the negative sense that the member might have implied. The amendments to the Crime and Misconduct Act are fundamentally clarifications of the original intention of the act to ensure that the CMC can carry out its major crime function. This is a critical function in the fight against organised and major crime in the state, and the government is committed to ensuring that the CMC has access to a full and appropriate suite of powers to assist it in its job.

This bill continues the Labor government's commitment to ensuring that Queensland is a safe and just state. This bill will ensure that the CMC will have the powers appropriate to investigate and punish serious criminal activity with the public interest in mind. The bill will also ensure that Queenslanders can travel throughout the state in safety, without fear that attacks upon them in their vehicles will go unpunished. We must continue to safeguard the people of this state against criminal activity—through powers to investigate and powers to prosecute both the most serious of criminal enterprise and smaller, more malicious or thoughtless acts of idiocy and stupidity that endanger others. In conclusion, I thank all honourable members for their contributions.

I also wish to thank officers of the Department of Justice and Attorney-General—namely, Courtney Arndell, Louise Shephard and Ainslie Kirkegaard. I feel very well supported by the officers of the Department of Justice and Attorney-General including officers in Strategic Policy who do a terrific job, in this case at very short notice to rectify a serious problem with the law in Queensland. I thank them for their diligence and energy in delivering very significant policy outcomes for me and legislative outcomes for this state. I thank all honourable members once again and commend the bill to the House.

Question put—That the bill be now read a second time.

Motion agreed to.

Bill read a second time.

Consideration in Detail

Clauses 1 to 5, as read, agreed to.

Clause 6—

Mr MESSENGER (6.17 pm): Clause 6 talks about the referrals to the commission and the referral of major crimes to the commission for investigation including terrorism, criminal paedophilia and organised crime engaged in by a particular class of person involving offences of a particular type—for example, money laundering. There was a case that I asked a question about in this parliament. It was a serious case. Officers of the CMC have allegedly investigated a case where people and organisations with links to the Labor Party allegedly were paid \$2.5 million to add five pages to a 278-page report. The report was on toxic hospital wastewater. The report looked at around 30 hospitals in Queensland starting from the northern areas all the way down.

The report was produced by a scientist and a team that was assembled from the Central Queensland University in Rockhampton. They were paid around \$100,000 for that report. It is allegedly reported in the *Bundaberg NewsMail* just before the last election that the CMC had finished investigating this alleged crime and it then referred it to the DPP, which is of course the department that the Attorney-General has control of. If this turns out to be true, it would be a serious crime. Through you, Mr Deputy Speaker, I would like to ask the new Attorney-General what action he is taking to ensure that justice, transparency and accountability are delivered for the people of Bundaberg and the people of Queensland.

Mr DEPUTY SPEAKER (Mr Wendt): Order! I am having difficulty following your question in relation to clause 6. Can you specifically point out what part of the clause you are referring to?

Mr MESSENGER: Referrals to the commission and investigations by CMC officers, Mr Deputy Speaker.

Mr DICK: I do not seek in any way, shape or form to interfere with the Crime and Misconduct Commission in its exercise of its lawful duties and authorities under the Crime and Misconduct Act. Any investigation it conducts is conducted, as all honourable members know—and particularly as honourable members on this side of the House know—without political fear or favour. We do not seek to influence them. I certainly will not be doing that in any way, shape or form as the Attorney-General and first law officer of Queensland. Quite the contrary, I will encourage it to properly investigate any criminal conduct that falls within its remit, including any official misconduct that may be carried out by any public official including any member of parliament or member of the executive.

Mr MESSENGER: I am not really satisfied with the Attorney-General's answer. I am not asking the Attorney-General to interfere with investigations conducted by officers of the Crime and Misconduct Commission. He may have misheard. What I was asking him was this: it was reported in the newspaper that this issue was investigated by his officers and then referred to the DPP—an agency that he has control over.

What I am asking the Attorney-General for is clarification of this case specifically. I am asking him to tell us exactly where in the process of carrying out justice this particular case is at. Are his investigators looking at this case? Are they going to prosecute or have they decided to forget about prosecuting this case at all? I remind the Attorney-General that this case was investigated by CMC officers and that the CMC officers referred it to the DPP. I am asking what time, resources and consideration the Attorney-General and his department have given to this case given that it is such a serious case. This is a case involving \$2.5 million.

Mr DEPUTY SPEAKER: Order! Member for Burnett, you are talking about a specific case which seems to be outside the realms of clause 6. We cannot find any reference to that particular issue in this clause.

Mr MESSENGER: I understand why the Attorney-General would not like to answer this question. It is a very difficult question to answer and could incriminate members of the Labor Party.

Mr DEPUTY SPEAKER: Order! I defer to the Attorney-General.

Mr DICK: The question allows me to also say that I do not seek to interfere in any way, shape or form in the Office of the Director of Public Prosecutions. We have a long history in Queensland of those in the executive, particularly in the 1970s and 1980s, members of the National Party—of which the member for Burnett was formerly a member and presumably keeps flying the flag for—seeking to interfere quite corruptly and quite inappropriately at the highest levels of law enforcement and justice in this state. Sadly, it would appear that the lessons of history have not been learnt. I put on the record that I do not seek to interfere in any way with the Office of the Director of Public Prosecutions. I also believe it is regrettable that the member for Burnett seeks to test the standing orders in a way that some would argue abuses the privilege of a right of a member of parliament in this process of discussing legislation to raise matters that he well knows are before—

Mr Seeney interjected.

Mr DEPUTY SPEAKER: Order! Member for Callide, you are not in your chair.

Mr DICK:—law enforcement and prosecuting authorities in the state. I have nothing to add other than that.

Clause 6, as read, agreed to.

Clauses 7 to 17, as read, agreed to.

Third Reading

Hon. CR DICK (Greenslopes—ALP) (Attorney-General and Minister for Industrial Relations) (6.24 pm): I move—

That the bill be now read a third time.

Question put—That the bill be now read a third time.

Motion agreed to.

Bill read a third time.

Long Title

Hon. CR DICK (Greenslopes—ALP) (Attorney-General and Minister for Industrial Relations) (6.24 pm): I move—

That the long title of the bill be agreed to.

Question put—That the long title of the bill be agreed to.

Motion agreed to.

ADDRESS-IN-REPLY

Resumed from 20 May (see p. 469).

Mrs ATTWOOD (Mount Ommaney—ALP) (6.25 pm): It is an honour and a privilege to serve my community in Mount Ommaney for a fifth consecutive term. My gratitude goes to those residents who put their faith in me again to continue to work hard for them and to be their strong voice in this parliament. Without the great support of over 150 volunteers, particularly my husband, Ron, and my faithful booth captains, it would have been a difficult task indeed to retain this seat after 10 years of a Labor government in Queensland.

This became more evident on polling day when voters were saying to me that, although they wanted to keep me as their hardworking member, they thought it was time after 10 years for a change of government. The LNP was determined that it could win Mount Ommaney this time round and spent a lot of money on printing and paying its campaign workers. It also decided on the second last week of the campaign to steal my campaign signs along Oxley Road in particular. On the way to the railway station on Thursday morning, 12 March, I noticed that all of my signs were taken down and the LNP signs were left standing along the road.

In the past my election signs have been stolen, slashed and vandalised. One elderly and frail supporter was even threatened with the words, 'If you don't take that sign down, I'll take you down.' But this time the LNP did not get away with it. Witnesses came forward and said they saw two men in a white Mercedes quickly take down the signs at 2 am. They provided information to the police and the two men were eventually charged and appeared in the Richlands Magistrate Court charged with stealing.

James Hastie and Andrew Nguyen were in their last years of a law degree and therefore should have known better. Andrew Nguyen—who previously worked for Michael Johnson, the federal member for Ryan, Matthew Bourke, councillor for the Jamboree ward, and George Brandis, senator for Queensland—pleaded guilty, was fined and ordered to pay restitution to the Mount Ommaney SEC. He was the campaign manager for the LNP candidate for Inala, Leo Perkins, and ran against Councillor Milton Dick in the council elections in 2008. I am told that to date the fines are yet to be paid and restitution to the Mount Ommaney SEC has not been forthcoming. This is appalling behaviour from a candidate and supposedly then an up-and-coming member of the LNP. He has brought shame on his family and the Vietnamese community.

I was also concerned about the behaviour of the National Party candidate and the local councillor. My campaign workers reported that my opponent was taking photographs of them when they were working on my weekend stalls. This was very strange behaviour indeed, as was the local councillor's behaviour as he set up LNP signs at my advertised mobile office site and loitered around the area intimidating residents who came to visit me with their concerns.

Both the candidate and the local councillor put out a flyer just prior to polling day indicating that they had a Sumners Road solution and that they had secured \$9.5 million in the council budget going forward to ease traffic congestion. This is a council responsibility. I will remind the local councillor of this commitment. There was also the LNP promise of making the Wacol precinct available to the public without consulting Corrective Services, the Police Service or the wider community. Local residents telephoned me, appalled that she would create such a risk to security. We all recall the notorious Brenden Abbott escape and the threat this posed to the local community.

Local environment groups had previously met with the then corrective services minister, Judy Spence, who agreed to set up a working party involving Corrective Services officers and members of the group to look at negotiating a safe and satisfactory solution for the use of part of that large tract of land. The National Party candidate also spread rumours about the old Oxley Secondary College site and current fire ant centre being sold off to developers and becoming a housing precinct. She tried to sensationalise the concept. However, I have been talking about this for some time and there is agreement that the site would suit limited development when its current purpose expires. This has some merit and I support the site being utilised for much-needed affordable housing for seniors and/or people with disabilities because it is close to public transport. I will continue consultation with the minister and community regarding this concept.

Now I will take the opportunity in my address-in-reply speech to speak about a number of issues that are currently of great importance to the residents of my electorate of Mount Ommaney. Finding solutions to traffic congestion on the Western Freeway requires a coordinated and planned approach from three levels of government and involves more than just building new roads. Traffic congestion can only be alleviated by constant improvements in public transport options available to residents of the Centenary suburbs. The new train line to Springfield, together with the third rail track to Darra, should encourage more rail users to leave their cars behind in favour of a greener alternative. I will be consulting with constituents to find ways to promote the use of public transport, to reassess the common transport needs of commuters and on a future upgraded Centenary Motorway, including a proposed western busway.

Education issues are at the forefront of achieving our goal of improving the literacy, numeracy and capability of our children. I will continue to push for greater resources for teachers to enable them to provide the best opportunities for our young people.

Sitting suspended from 6.32 pm to 7.30 pm.

Mrs ATTWOOD: Environmental concerns need to be addressed through initiatives such as the solar hot water, solar power generation and energy efficiency initiatives already provided by the government. As a member of the new Environment and Resources Committee headed by the member for Pumicestone, I look forward to investigating a range of other energy efficiency strategies. During this time of economic uncertainty, my vision for the electorate and for the government in Queensland is to maintain and create closer links between individual and community needs and government policy. There are always better ways to ensure that the needs of families in Queensland are met through sound policy initiatives and further competent, professional administration measures. Scarce funding should be clearly focused on addressing the real issues and enhancing the lifestyles of all Queenslanders. And there is always more that needs to be done, and I am working closely with the community to prioritise our future needs. As Parliamentary Secretary for Disability Services and Multicultural Affairs, I will be passionately trying to improve the lives of people in both of those sectors and to ensure that they get their fair share of resources. I look forward to assisting residents with their issues and ensuring that the government meets its policy objectives over the next three years.

Ms van LITSENBURG (Redcliffe—ALP) (7.32 pm): I take this opportunity to congratulate Mr Speaker on his election to that high office. I also acknowledge the traditional owners and custodians of the sacred lands of this state. I also want to congratulate the Premier and all honourable members on their election and re-election to this 53rd Queensland Parliament. This is a historic Labor government with the first elected woman Premier in Australia. This is a government that is facing the huge challenge of ensuring that Queenslanders weather the economic climate in the best possible way, and we are up to it. We have the policies and the determination to keep Queensland strong. This election was primarily about jobs and people in my electorate wanted to know what a Bligh Labor government would do to keep them working, so I spent much of my time during the election campaign explaining how our policies would ensure that not only will jobs be created around the state through our infrastructure, building and maintenance programs but that this essential infrastructure will ensure Queensland has the infrastructure it needs to move forward as a modern, progressive state.

Redcliffe residents are very aware of the surpluses delivered by the Queensland Labor government over the last 10 years, together with the lowest unemployment rate in Australia and the highest growth rate in the country, and they have been very happy with what we have done over the last 10 years. Redcliffe residents also came to understand that going into a budget deficit would not call the sky down upon our heads, that families live with huge deficits in the form of mortgages over most of their working lives and longer. The Bligh Labor government has a great track record as an economic manager. The Redcliffe people understand that the purpose of a surplus, like putting money away for a rainy day, is to use it in hard times. They also understand that it is much easier and cheaper to pay off a deficit than to deal with the social costs of family and domestic violence, drug and alcohol abuse, depression and mental illness that are often the results of the stress, recession and difficult economic situations facing families right across society. This is a social deficit that is passed on from generation to generation. People in Redcliffe voted to safeguard their children and their grandchildren from the misery of this social deficit and what it inflicts on our community. Only Labor governments have a history of developing the social infrastructure to ensure the health of the community.

Good government is about looking after real people, not having a pretty set of books to show off how much you have in the bank. The Bligh Queensland government, like the federal government, is about actively making everyday life better for ordinary people. The duplication of the Houghton Highway in the Redcliffe electorate is one such project. It employs 2,500 people on the actual project but many more in related industries. It will also ensure that Redcliffe has more effective access to the airport and the rest of the greater Brisbane area. Together with the northern busway, which is currently under construction, Redcliffe residents will also have better access to the city with public transport.

I want to thank the people of Redcliffe for supporting me and re-electing me for another term. I will not let them down. I will keep listening to what is needed in the electorate and I will work hard to get the best possible outcomes for my constituents. I am committed to working with business, community and all levels of government to ensure that Redcliffe can develop to be the best it can be. I want to thank my electorate officer and campaign manager, Rosemary Hume, who provided such effective, strategic and organisational planning for the campaign. I also want to thank my assistant electorate officer, Nathan Seng, for his commitment, organisation ability and exceptional people skills that made him a pivotal member of the team even though it was his first campaign. I want to commend ALP State Secretary, Anthony Chisholm, for the effective campaign he ran, ensuring that our message of jobs got through to all voters. I want to thank our party organiser, Ryan Ginard, for his support and coordination of our campaign. I also want to thank the AWU and the QTU for their support of me over this last election and over the past two or three elections as well.

There were a handful of faithful and committed members and supporters who worked tirelessly for five to 10 hours daily for all or most of the campaign. They were Bill Kelly; Neil Whittaker; Matt Stevens, who came from Canberra for 2½ weeks of the campaign; Jackie Whittaker, who came from Darwin; Pat Roche; John and Shirley Antonio; Cred Hussey; Neville and Dorothy Lines; David Puran; Michael Flannery; Allan Robertson; and Steve Veltmeyer. There were also many supporters and branch members who worked very hard on a wide variety of activities and, on many occasions, as often as they could. They were Brad Heilbron, Ernie Faulkner, Glenys Flannery, Charmaine Brayley, Eliza Hume, Shaun Moores, Rebecca Fanning, Michael Keley, Frank and June Lay and their family, Susan Hewer, Anthony Whittaker, Fay Jeppesen, Peter Zgrajewski, Brad Foresythe, Alex Munro, Jane Hatzellis, Edith Yanieri, Monina Vilorio, Gary Crompton, Louen Wright and Deb Grealey.

On the day before the election, 17 Young Labor volunteers came from Victoria to help set up our booths and man the booths on election day. They did a fabulous job and I am sure all of them will do well in the future. They are Grant Poulter, Ben Maxfield, Mounir Kiwan, Raff Ciccone, Shannon Threlfall, Rick Garotti, Jimmy Mentor, James Russell, Ella George, Jesse Overton-Skinner, Tom Daley, Jon Barlow, Tom Ayres, Hugh Mortensen, Nick Brain, Grant Mitchell and Jackson Reynolds.

On election day many people helped out on the booths, including Yvette and George D'Ath, Keith Franklin, Kelly Jeppesen, Alan McCristal, Jenny Sams, Daniel Cheverton, Di Hollis, Barbara Murphy, Melinda Chisholm, Ron and Russell Lyons, Sheila Forknall, Carlos Rodrigues, Kelly Fraser, Judy Andersen and Val Dimmock. I congratulate each of these people, because they were the backbone of my campaign. Despite the aggression and mud slinging from the opposition on election day, they kept their cool. Without them, we could not have run the successful campaign that we did.

I would also like to thank my family: Lia, Christy, Danielle and Dennis Martin, Yolanda and Shelley Attrill, Luke Herbert, Jackie van Litsenburg, Monica Schultze, Phil and Bill van Ruth, Cora and Henk van Liempt and Gerard van Hees for their support of me personally during and before the campaign. It was great to have family with me on election day. I acknowledge also the support of friends, Irena Morgan, Tony McDonald, Linda Holman, Bruce Harkness and Jenny and Tony Soon.

Redcliffe is a wonderful place—a place of staggering natural beauty that has been enhanced by state and local governments to make it a great place to live, work and play. It is also a wonderful place to live because of the investment of locals in the community through volunteerism. This was demonstrated in the recent Redcliffe Challenge, Redcliffe's entry into the Queensland government's Get Active challenge. I was astounded that in hard economic times such a large number of local businesses willingly sponsored the challenge. Their enthusiasm was only dimmed by the community groups that participated in offering exciting and fun activities for people of all ages—from toddlers to grandparents. Such is the engagement of these groups with the community that during their provision of free activities for the community they were already planning to offer them again next year. It was great to see Redcliffe residents enjoying the eight weeks of activities and calling for the challenge to be an annual event. I am pleased that all the community enthusiasm and organisation was rewarded by our Redcliffe Challenge being short-listed.

I am also pleased that, despite the difficult economic times, the Redcliffe Leagues Club received a grant of \$1.5 million to turn its aquatic centre into a health and fitness and wellbeing centre by including a gym for seniors as stage 2 of the development. The aquatic centre was funded by the state government in partnership with the council and the leagues club. In the 10 or so months it has been open, creative management has ensured that it is almost at capacity use. The gym will give our mature citizens more choices by which to remain fit and stay healthy. The Redcliffe tennis club has also been granted \$1.5 million for an upgrade to its facilities.

Redcliffe has many challenges facing it, not the least of which is transport. I have been working hard to ensure that there will be positive solutions in the near future. The election was the time for Queenslanders to choose what they want for their future and they were clear in their response. They want to keep working and they want the protections that only a Labor government can give, and the Bligh Labor government will not let them down.

I have got straight back to work in the electorate, solving all the issues I can to ensure that Redcliffe is well placed to be on the road to recovery as soon as the economic situation picks up. In the meantime, there is a lot to do in the community to ensure that things continue to improve for local people. I am working within the Bligh government to ensure that there will be a bright future for Redcliffe as well as for all Queenslanders.

Ms SPENCE (Sunnybank—ALP) (7.44 pm): It is a great honour to represent the newly created seat of Sunnybank, which takes in almost half of my old seat of Mount Gravatt and adds new suburbs such as Acacia Ridge, Coopers Plains, Archerfield, Salisbury, Durack and Sunnybank Hills. The Sunnybank electorate is the multicultural hub of Queensland, with 39 per cent of its citizens born overseas—way above the state average of 17 per cent. In the Sunnybank electorate, 33 per cent of people speak languages other than English at home. In Queensland only seven per cent do so. I have no hesitation in claiming my electorate as the most vibrant, diverse, culinary blessed centre of our state.

My supporters reflect that diversity and I was proud to have blue singlet, thong-wearing Aussies standing side by side with new Australians from China, Taiwan, India, Sri Lanka and the Middle East on election day.

The Sunnybank electorate also reflects the socioeconomic diversity of this state. From the multimillion-dollar residences at Robertson to the Housing Commission homes in Coopers Plains and Acacia Ridge, we represent the occupational and educational diversity of our state. There are 13 state schools, three Catholic schools, a Muslim school and an independent school in the Sunnybank electorate. There are 40 sporting clubs ranging from football, netball, hockey and basketball, athletics and bowls to round dancing, speedway and ice skating. There are thousands of businesses in the Sunnybank electorate, particularly in the industrial precincts of Acacia Ridge, Coopers Plains and Salisbury. Historically, this precinct has been the industrial centre of South-East Queensland and today remains a vital economic zone. The Sunnybank electorate has a number of environment groups, including the Oxley Creek Catchment Association, which has been looking after and educating others, including the government, about the importance of this water catchment since the 1970s.

I have had the privilege of meeting many wonderful people in this job, including the decent men and women of my own Sunnybank Lions Club, Rotarians, sporting volunteers, the members of the Sunnybank RSL who are doing wonderful work in our schools, tuckshop volunteers, hospital volunteers, people from the Sunnybank and Acacia Ridge Meals on Wheels, groups such as the St David's Neighbourhood Centre that provide support and fellowship and add enormously to our social capital, and, of course, many church workers.

One of the goals of this government is to increase volunteerism. The only upside I can see from our increasing unemployment rate is that more people will have the time to contribute some volunteer hours. Volunteers provide our community with an important social fabric that we should never take for granted.

Recently I visited God's Little Acre, a little treasure at Archerfield. Like Queensland, this cemetery celebrates its 150th birthday this year. The first burial on this site took place in 1859 in what was then New South Wales, so it has the graves of our earliest settlers and is a fantastic resource of local history. It has been lovingly looked after by a voluntary committee. Now, the Q150 money and the Skilling Queenslanders for Work program has provided the opportunity for 10 long-term unemployed people to learn some new skills as they do some much-needed restoration work. This program will also help these unemployed men gain a certificate I in construction, help them write resumes and prepare for interviews and research jobs. This year the government will invest \$81 million in the Skilling Queenslanders for Work initiative to give an estimated 15,000 long-term unemployed people job related assistance and skills training.

Despite the economic downturn, the government's continued spending on infrastructure is designed to ensure that we keep as many people employed as possible. This year alone, the state government is spending more than \$8.5 billion on infrastructure.

We went to this election promising to focus on jobs, not budget cuts, because, as we continue to chart a course through this global economic downturn, we believe government should do everything it can to stop job losses, create new jobs and promote community confidence. We should also encourage our children and others to undertake some study so that they are job ready when our economy improves.

I am enjoying my new role as Leader of the House which is affording me more time to help constituents and work in the electorate than I have had for the past 10 years as a minister. During the election campaign I was diagnosed with a type 2 melanoma, which I have recently had removed with good results, but this experience has made me appreciate not only the importance of regular skin checks but also the importance of providing all Queenslanders with quality health checks. The QEII Hospital, which is in the electorate of Sunnybank, is providing quality health care. The QEII Hospital provides medical and surgical services to patients including anaesthetics, emergency and general medicine, rehabilitation, general surgery, gynaecology, orthopaedics, intensive care, gastroenterology and urology.

The most recent data available indicates that for the December quarter QEII treated 8,874 patients in the emergency department, admitted 4,457 patients to hospital and provided outpatient services to 14,157 patients and ensured 889 patients underwent elective surgery, an increase of 7.7 per cent on the same quarter the year before. The Goss government, acting on the advice of health bureaucrats, was wrong to close down ward after ward of the QEII Hospital in the 1990s. The Beattie government and now the Bligh government have systematically re-opened wards and repositioned the hospital to not only service our suburbs but also provide specialist services for our region. We have recently expanded the outpatient services and we are now investing \$95 million to build and operate a new 30-bed elective surgery centre on the 8th floor allowing more long-wait patients to get the operations they need more quickly. For the first time in its history, all five floors of the QEII will be dedicated to medical purposes.

I am grateful that the suburbs I represent have relatively low levels of crime. When I talk to many doctors who have come here from all over the world about why they have chosen Queensland to live and work when clearly their skills would give them the choice to live in other countries or other states of Australia, I am told by many that they did some research and were impressed by Queensland's low crime rate and on that basis alone they were attracted here. We who are born and bred Queenslanders take so much of what we enjoy about our lifestyle for granted. But for many people it is not about the weather or the beaches but about the fact that they can live in their own house, their children can walk or ride to school by themselves and they can have free hospital care. Basic freedoms make our lifestyle very special.

I have publicly expressed my opposition to the application by the Sunnybank Hotel to extend its liquor licensing hours until 5 am. I do not believe that any venue should trade after 3 am, but our laws allow this hotel to make this application. I have said in the past that I oppose these laws. We could create a level playing field and require every venue to close at 3 am. This would minimise the harmful effects of excessive alcohol consumption that we see in every late-night venue in Queensland. While this law remains, it befalls elected representatives like myself and community minded individuals to oppose applications such as this on public interest grounds. I am pleased that a number of Sunnybank residents will join me in the objection to this application. We are also joined by the Police Service and the Ambulance Service, whose members understand only too well the harmful effects of excessive consumption of alcohol.

We are well served by the 50 officers of the Acacia Ridge Police Station and over 100 officers of the Upper Mt Gravatt Police Station as well as our police beat at the Sunnybank Shopping Centre and the school based police officer at Sunnybank State High School. We also have an effective number of Neighbourhood Watch committees that assist police officers and their neighbours. This government has always kept the police-to-population ratio better than the national average. I believe that we have given police the power and the tools they need to solve crime and keep our community safe. And we have been rewarded because for the past seven consecutive years the rates of crime in almost all categories have declined.

As many members would be aware, I was a social science teacher before entering parliament and I am a passionate believer that education is the pathway to a fulfilling and successful career. One of the principles that defines the Labor Party is the commitment to quality universal education. It is one of the reasons I was attracted to Labor many years ago. The schools that I have represented for the last 20 years have benefited from almost 20 years of Labor governments putting money into infrastructure, maintenance and resources. I look forward to ensuring that the schools in the newer part of the electorate receive my attention. The Rudd government's commitment to enhancing our schools is unprecedented. It will be putting \$2.2 million into round 1 of the National School Pride Program alone. Schools in my electorate are set to get more money for maintenance and new buildings. Not since the Whitlam government built science blocks in our high schools have we seen this kind of federal government commitment.

While the built environment is important, it is the teachers and the students who make successful schools. I continue to be impressed by the dedication of our teachers. I have not forgotten that it is a rewarding but often tough profession and our teachers put in their own time to enhance the educational experiences of our children. We have many of the best schools in the state in the Sunnybank electorate, and it is motivated parents and their wonderful children and our quality teachers who produce this first-rate education.

I was disappointed that during the election campaign the opposition LNP candidate chose to oppose the upgrade of the Mains Road and Kessels Road intersection. Locals know that we have been advocating for this upgrade for a long time. Over the years we have had a federal Liberal member who promised everything but delivered nothing. It took the election of the Rudd Labor government and our new federal member for Moreton, Graham Perrett, to finally get a federal government commitment to fund the project. I am regularly briefed by the project team and, after years of community consultation and design teams coming up with engineering solutions, we are now months away from the final design being given approval. I believe we will see the project beginning in the next 12 months.

I am very impressed by the final design and the plan to deliver the project with minimal disruption to local traffic and businesses. Last year I initiated six-monthly meetings with local businesses and the project team, and these are now occurring more frequently. While there will no doubt be some adverse consequences to business during the construction phase, the final product will enhance movements to and from Kessels Road and the business precinct and will benefit business in the long term.

I was also surprised that the LNP candidate criticised the joint plan by the state government and the Brisbane City Council to upgrade the intersection of Padstow and Warrigal roads. I use this intersection every day and I know that the existing roundabout has outlived its purpose because of the increased volume of traffic. In peak periods it is becoming dangerous. Similarly, I was also puzzled at the LNP's opposition to proposals to upgrade another intersection—that of Logan and Padstow roads. I also use this intersection every day. The waiting times are getting worse and the planned upgrades are overdue.

I will continue to support the upgrade of our roads and I will also continue to advocate for better public transport. The government has recently completed the \$256 million upgrade of railway stations at Coopers Plains, Banoon, Sunnybank, Altandi, Runcorn, Fruitgrove and Kuraby and has added a third railway line along this track. These new, modern stations are well lit, disability accessible and better for seniors. We are rolling out one new train on the city network every month. We have improved bus services to the Sunnybank electorate, and many areas in my electorate now have access to buses on a 15-minute basis. We continue to increase the number of buses, and more commuters are choosing them as their preferred method of transport. This year alone we will put \$74 million into the Brisbane bus network.

More commuters are choosing to ride to work, and we are fortunate to have some very good bikeways. It is our government's policy to make sure bikeways are included in the new and upgraded roads. As a regular cyclist—I try to ride to the city for work at least once a week—I have noticed the increase in the number of cyclists and the enthusiasm with which people are embracing the new and improved bike paths.

The long-awaited Acacia Ridge rail crossing is an \$113 million road-rail project funded by the Queensland government with a \$25 million contribution from the Australian government. This project involves lowering a 1.4 kilometre section of the Brisbane to Sydney freight rail corridor by about 10 metres and building two, three-lane, 140-metre long road bridges. The project involves eliminating the existing open level crossing on Beaudesert Road including the removal of signals and boom gates. Work is well advanced and is expected to be completed by mid-2010. It will improve safety for motorists, pedestrians and cyclists. Motorists will no longer experience delays of up to 15 minutes while kilometre-long interstate freight trains pass through the crossing at low speeds. I look forward to opening the first stage of this project next month.

All members need support networks and volunteers to help them get elected. In my case, my husband, Heinz, and sons, Lucas and Jack, have seen me through eight elections and almost 20 years as a member of parliament. Heinz and I have just celebrated our 30th wedding anniversary, Lucas is now a veterinarian and Jack is a university student.

Representing an electorate needs more than just a local member of parliament; it also needs dedicated electorate office staff. I am very fortunate to have two dedicated, hardworking staff members, Chris Pidgeon and Jodi Brown. Over the years I have also had some wonderful ministerial staff and more recently, as Minister for Police, Corrective Services and Sport, I received great support and assistance from John Francis, Kerry Humphreys, Simon Tutt, Neva Woolmer, Fred Gwinn, Catherine Searles, Sandy Dunn, Judy Kidcaff, Liam Ferney and Lucy Becker.

A number of other wonderful people worked on my campaign this year, as they have done in the past—my mother, Gwen; my sisters, Cate, Sue and Kerryn and their partners; and Bernie Dawson, Julia Malone and Melita Bates are always there. I thank my campaign managers, Ian Lang and Tracey Crosby, who did a great job. Other volunteers not to be forgotten and who are always with me include Ron and Shirley Wilmott, John and Margaret O'Donnell, Brian and Mary Dutton, Anil Verma, Hazel Shields, Gina Hickman, Maureen Turner, Myrna Stevens, Barbara McIntosh, Sheila Smith, Chris King, Peter Hollis, Leo Corazzol, Ken Taylor, Lorraine Gorman, Marcos de Orleans, Jose Franco, Brendan Crotty, Paige Armstrong, Len Ardill, John Wheeler and Sue Copeland to name a few.

I thank the Abdul family, who are magnificent. I thank Tina, David and Ade and all their volunteers from the Voice of Australian Chinese Radio and the Happy Seniors for their support. And to the many, many others who worked tirelessly on booths on election day—a huge thankyou. A number of young people volunteer in my office and work on my campaigns, and I would like to thank Joy Chou and Abdul Obeid in particular. They are wonderful to have around and keep me in touch with youth culture.

My door is always open to the people of the Sunnybank electorate who want assistance or who want to share their ideas with me. I do not believe the government has all the answers and some of the best ideas I have taken to government have come from my constituents. We are all going to face tough economic conditions in the next two years. Now, more than ever, governments will be required to show leadership, courage and vision. I am committed to working for the people of the Sunnybank electorate over the next three years as we find solutions to the important challenges of our time.

Mrs SMITH (Burleigh—ALP) (8.02 pm): I am very pleased to be standing here today as the re-elected member for Burleigh. As one who was taunted as a 'oncer' in her first term, it is very satisfying to be returned for a fourth!

Over the past 10 years, the Labor government has put its stamp on Queensland and worked hard to lower employment rates and make the state a leader in the nation. On 21 March the Queensland people showed their faith in Labor by giving us another term. Although the current economic crisis means unemployment rates will rise significantly, the infrastructure program put in place by the Bligh Labor government will ensure that jobs will be available on many projects which will cushion the blow of losses in other areas.

The \$1.4 million upgrade of the Burleigh Ambulance Station is nearing completion. The revamp will ensure that the QAS can deliver modern and efficient services to the locals and holiday-makers. During the election campaign, \$2 million was announced for the refurbishment of the Burleigh Heads police complex. This facility currently houses 42 CIB officers, but I am hopeful that uniformed police officers will once again be based in the Burleigh station following the upgrade.

Over the past eight years, I have not taken the Burleigh electorate for granted and I think this shows in the results. My opposition candidate ran a high-profile campaign with a great deal of negative influence, but I know from experience that negativity does not endear you to the electorate. People want to hear positive news. They want to know that their member cares about what is happening to them and in their community. Only by becoming part of a community can you hope to understand it. I think that has been one of my strengths and something the opposition underestimated.

Burleigh is not a 'safe' seat and I know that. Without a great deal of hard work, it could easily swing against me. I must say that living on that sort of knife edge is excellent training as a grassroots MP. Knowing that your hold on the job is slender makes you very aware of your good fortune and commits you to a lot of hard but very enjoyable work.

I could not have got through the campaign without a strong team of family, friends and supporters. My husband, Robert, is a tower of strength and I owe him a great deal and thank him for always being there for me. My campaign organiser, Lindesay Jones, was my muse.

Mr Schwarten: Are you with me, mate?

Mrs SMITH: Are you with me, mate? His insight into campaigning, his good humour and attention to detail kept me from straying. He endeared himself to all my team and I know any one of us would have polished his boots had he asked—of course he would not, but it showed the strength of our loyalty to Lindesay.

To Liza, Dan and Jan: I do not know where I would be without you. Whilst I was out and about you kept the office functioning, making sure no constituent was ignored and every task was completed.

The Burleigh Branch of the ALP is my inspiration—good men and women who expect nothing in return for their hard work. They work for the good of the party and their satisfaction is in seeing a Labor government. I give my thanks to all those wonderful friends.

These next three years will see many changes in Queensland and in Burleigh. I promise to represent the community to the best of my ability and to repay the faith they have put in me with hard work and commitment.

The election of the first woman in Australia as Premier is indeed a milestone and I am proud to be part of the Bligh Labor government. My congratulations to the Premier for the wonderful job that she has done as leader of this great state, and I look forward to many more years of working under her leadership.

Mrs STUCKEY (Currumbin—LNP) (8.06 pm): I wish to place on record my condolences to the family of Mark Bayliss from the Gold Coast who lost his life in a freak accident during the raging weather earlier this week.

As is the case with most other members, it has been my practice to use the address-in-reply debate to illuminate issues which bear directly on the concerns of the people in my electorate of Currumbin. Before doing so though, I would like to take this opportunity to congratulate every member who makes up the 89 electorates of our great state in this the 53rd Queensland Parliament. It is important for each of us to uphold the integrity of this revered institution and to represent our constituents with vigour and honesty.

The sterling efforts of our LNP team, who after a mere seven months since our party's birth ran a credible campaign, deserve notation. I personally acknowledge Lawrence Springborg for showing immeasurable courage and leadership in making political history by bringing the Liberal and National parties together to form the LNP. This was an enormously bold feat. I offer my warm felicitations to each of my LNP colleagues from the 52nd Parliament who have all been returned due to their incredibly hard work and strong representation. I give my sincere congratulations to our leader, John-Paul Langbroek MP, the honourable member for Surfers Paradise, who entered this House with me in February 2004. I would also like to congratulate the Speaker on his appointment to this parliament.

For me it is truly a great honour and a privilege to be re-elected by the people of Currumbin to serve them once again. Honourable members of the past two terms of parliament have heard me continually sing the praises of the breathtakingly beautiful area I represent and the wonderful people who reside therein. But I have also talked about the challenges that we face.

Living in Currumbin for 22 years I have developed a deep attachment and an unwavering commitment to serve my community. However, I do want to reflect on the many talented and hardworking colleagues who did not win their seats on my side of politics. I urge them to consider going around the block again, as we gave this increasingly arrogant Labor government a serious shake-up gaining 11 new seats.

Persistence coupled with a deep hunger really does pay off, and I am thrilled to be able to welcome two great women and close personal friends into the parliament. Ros Bates won Mudgeeraba and Tracy Davis won Aspley comfortably. Both made the decision to give it another go, and both worked tirelessly and with integrity to reach their goals. I am sure that the people in their respective electorates will soon realise what worthy representatives they have chosen.

As is the case with other honourable members, I am deeply indebted to the outstanding and selfless efforts of a small army of individuals, most of them volunteers, who helped achieve the victory in Currumbin in some way. My heartfelt gratitude is extended to every single one of you and I am sorry there are too many names to mention here.

My branch is truly outstanding, always willing to lend a hand, run a raffle and man a booth, or 'woman' a booth, and my campaign team—of Arthur Elliott, Peter Barrett, Minna Knight, Ben Naday and his family, Susannah Singleton, Royce Brimmer, Keith Arnold, Tim Gear and Elyse McNeil—went the extra mile time and again, so thank you. To Robert Wright, Anne and Allen Hertel, Jennie Fairlie, Laurel Whitehouse, Ann Phillips, Doreen and the girls, my family and especially our wonderful son, Edward, who spent the day driving me to all of the booths, my gratitude is extended to each of you.

Bill Garay, whom I had never met, gave up 10 half-days at the Coolangatta Courthouse for prepolling, and that is a pretty dull task if you have seen how few people go through there. Ron Peebles was a gem. Away at election time, he was so determined to vote for me that he drove to Cunnamulla, which was a 365-kilometre return trip, just to lodge his vote. Bev Malseed, who is the mainstay of my electorate office, managed the heavy load of calls and demands that an election places upon our usual business in her professional, friendly and efficient manner. My special thanks go to Carly McNeil, our school captain volunteer, who has assisted every Friday. My husband and soul mate, Richard, once again made huge sacrifices by juggling his busy medical practice and directing my campaign at a moment's notice, due to the extra-early election forced upon us by the Premier.

During the past 2½ years of the 52nd Parliament, I was blessed to work with some accomplished, capable people, and I refer to Michael Read, my policy adviser for Child Safety who is a true champion; Les Preston, who assisted with the writing of some of my forceful speeches; Kerry-Ann Harmann-Schufft, for her valuable policy advice; and my senior mentor, Bill Hartigan, whose wisdom and intelligence I am grateful to have available to me.

A year ago, the global financial failure was barely underway and certainly had raised no great concerns with the Treasurer or the government at large. In the 2008-09 budget, the Premier and the Treasurer were projecting an operating surplus of \$583 million and a Capital Works Program to be financed mainly by debt. This, the Treasurer averred, could easily be serviced, even recognising that no principal repayment was planned either in this financial year or through the following years, so that by 2011-12 debt would rise from the \$41.6 billion projected for 2008-09 to \$64 billion.

A lot has happened since then. In February of this year, the Treasurer advised that there would be a deficit of \$1.5 billion this year, which is a \$2 billion turnaround. Future debt for 2011-12 had increased to an enormous \$74 billion, which is a 30 per cent increase over the budget estimate. Almost all of this increasing debt was due to continuing budget deficits, so that debt was being used to fund what even this government would recognise as recurrent expenditure. We in opposition accept that the global financial dilemma was much larger than anyone projected and that it grew very rapidly. We also accept that the global scale of the meltdown and its genesis in the larger economies raised external threats to Australia's wellbeing that would require Australian governments of all persuasions to adjust to it in a radical manner.

Of course, no Australian is immune to the adverse impact of this problem. In Currumbin there is increased unemployment, especially around Coolangatta, superannuants are closely watching their savings, the standard of living has declined massively, and businesses of all sizes are losing money, are contracting and are laying off staff as the economy runs down. Even though we may be able to boast that Australia is weathering the storm much better than other economies, this is due in large measure to the sound, prudent management of the economy by the Howard conservative government, which eliminated \$94 billion of debt created by Labor, left an incoming Labor administration with an operating surplus and unfunded liabilities of superannuation were largely reduced.

This of course stands in stark contrast to the situation here in Queensland, where Labor was incapable of managing the state's finances and, notwithstanding an unprecedented inflow of revenue, used debt to camouflage its incompetence. We acknowledge that there is a need to stimulate the economy, and particularly the private sector, by investing in capital works which will enhance the state's future growth and international competitiveness. The LNP even accepts that debt could be used to finance such works, as they are by their nature recurrent—such as roads, ports, schools and hospitals, which are not designed to produce a revenue stream to finance debt servicing—in the expectation that it will return the state economy to growth and rising revenues. Importantly, it would address the basic social and economic needs of the good people I represent in Currumbin.

At the same time, the present crisis should not be used as an excuse for the government to turn away from the reform of its public sector responsibilities. Perhaps there will be a reduction in health and education funding, a decline in the police presence or an increase in the cost of power, water, electricity and transport, some of which we have already seen—or indeed in more than one form of revenue raising—due to the failure by this government to reform the public sector.

Absolute untruths hurled about during the campaign were typical form of Labor government members. Not content to tell the truth, they manufactured furbies and spewed them out through the unions. By his own admission, the Treasurer advised that about 6.5 per cent of the public sector workforce leave each year. That is about 11,000 public servants who retire or resign. Surely not every single one of these jobs is required. The government's idea of reform is to reduce the number of ministries to 13 superministries but not the number of ministers or senior public servants. In a miraculous but unexplained manner, this one-time step will save \$200 million per annum, or roughly enough to pay 20 days interest, leaving borrowings as the preferred option to pay the rest of the interest of some \$3.4 billion in 2011-12.

Premier Bligh at the recent election promised to produce a net increase in employment of 100,000 people in this term of government. If this were to happen—and it was sustainable, not just a temporary bubble based on rising debt—then the people of Currumbin would have some faith in the future.

People in my electorate are thinkers. They care about their region and remain unconvinced about the government's capacity, even intentions, to return confidence and growth to the Queensland economy and society, especially when the Premier outsources the police and emergency services uniforms to locations like China instead of giving jobs to Aussies.

The government has a responsibility to outline precisely how it is going to handle the rising burden of unfunded debt when it has ruled out any intention of substantially improving the cost and efficiency of government. When asked this question earlier this year, the Treasurer could not answer it, and he failed to give a satisfactory answer yet again today. Without qualified answers, this government's promise of continuous and ongoing improvement in health, education, roads, public transport and personal security remains a cruel hoax on the people of Currumbin and all Queenslanders.

The people of Currumbin have placed their trust in me for the third time to fight for a fair deal and maintain the quality of life that we so treasure. I am committed to maintaining high levels of community consultation so that the best decisions can be made for our electorate. I am very pleased that a number of election promises were made, albeit in haste, to Currumbin residents. Now both they and I want to see them delivered. On behalf of my constituents, I fully intend to hold all members on the government benches to account.

An issue that enraged residents into a prolonged protest was Energex's proposal to install overhead 110kv powerlines through suburban Palm Beach and Currumbin via a route between Mudgeeraba and Tugun. Enormous public unrest for a large number of residents who felt they had not been consulted about this massive intrusion into their neighbourhoods saw the formation of STOP—which is the Stop The Overhead Powerlines Group—headed by John and Pam Cooper, Norm and Laurel Jefferson, Vaughan and Molly Moran, Neville Richardson, Rose Adams, Lois Levy and Paul Smith from Reedy Creek. They all lobbied loud and hard for the undergrounding of powerlines through their suburbs.

These individuals are all to be congratulated for their herculean efforts in advocating for people who felt that their homes would be resumed or devalued, their health affected and vegetation lost. The STOP Group was deeply disappointed with the member for Burleigh, saying she abandoned her constituents and gave up the fight early on, saying in a letter she could sleep at night knowing she had done her best. Well, a number of her constituents could not sleep. They were worried sick, constantly being fobbed off with the excuse the minister's hands were tied and we had to wait for Energex's report.

Notably, it has long been a policy of the conservative side of politics to underground high-voltage powerlines through established communities, so it was no surprise when we announced we would do so through Reedy Creek, Palm Beach and Currumbin. But surprise, surprise, several days after our announcement Labor came up with its promise offering \$1 million extra. So where is it? Surely as this was included in Labor's costings it has been accounted for, or has it?

What if they were not being honest? No amount is recorded on the one-page list that was Labor's offerings. Conveniently the minister—the member for Ferny Grove—has moved into another portfolio, and just as well, as the ridicule he aimed at the opposition pre-election regarding this policy would have come right back in his face. This was shameful behaviour and an awful way to treat people, forcing them to live under daily stress.

Since the Tweed River Entrance Sand Bypassing Project commenced over eight years ago, southern Gold Coast beaches have been oversupplied with sand, surf breaks including world-famous Kirra have been lost, and the government has stuck its head in the sand. This project was meant to

supply sand to Gold Coast beaches and protect them from erosion while clearing surplus sand from the notorious Tweed Bar, but poor management, and a lack of flexibility and thorough monitoring has caused environmental damage and reduction for businesses and surf clubs.

Frustrations over inaction by Queensland and New South Wales Labor governments culminated in an Australia Day protest paddle organised by the Surfrider organisation and the Kirra Point Committee. Some 1,500 surfers including Mick Fanning, Stephie Gilmore and Wayne Bartholomew took part and formed a map of Australia in the water. I was out there with them and I can tell honourable members it was a buzz. After eight years of neglect and total disinterest from both of the state's ministers over the effect this project was having, lo and behold the Queensland government finally took its head out of the sand in early February and said that it would speak to its New South Wales counterparts with whom it had signed a 24-year contract. But it was full steam ahead when the Queensland government got wind that the LNP was going to announce funding and commit to a long-term strategy during the first week of the election campaign. They could not wait to announce some funding and cobbled together \$1.5 million to toss at the problem. However, the LNP went further, matching Labor's funding, included the local community in future plans and promised an urgent audit.

We are almost two months post election now and the government must prove it was serious about addressing this issue. Attempts to view the contract between New South Wales and Queensland have failed. Many, including myself, believe that the contracts hold the key. Has it been breached? Were key recommendations ever included? Why the secrecy if there is nothing to hide? FOI documents I requested were exempted for confidentiality reasons. However, stakeholders are of the opinion that public interest outweighs these concerns. A further request for an internal review was also knocked back, so the final avenue is an external review.

The Currumbin electorate has been the epicentre of construction works these past three years, with both the Tugun bypass and desalination plant in one suburb. Close to \$2 billion has been invested in infrastructure which during construction caused enormous disruption, noise and dirt for these patient and understanding residents. After all, they had waited 20 years for a bypass only to be told they were getting a huge desal plant in their midst, too. While the bypass has at long last been delivered, we are still waiting for the desalination plant, which has caused enormous heartache, although rumours that iron framework in the Tugun bypass tunnel is corroding are eroding public confidence in this government's ability to manage anything competently or on budget.

Regularly calls are received from people who believe they have been directly affected by vibrations during laying of massive water pipes through suburban streets that have seen roads not properly restored, cracks appearing in walls, ceilings, driveways, and doors and windows dropping. It is fine to say that we needed the water and we are helping the good folk in Brisbane. You try to tell the people who are worried sick about the damage to their family homes that they do not have a case to answer and see what kind of response you get. They feel like they have been hung out to dry. This government has a responsibility to provide assistance to people's properties and playing fields. The Tugun footy club is literally sinking. The soccer club has also been badly affected, and there is a strong belief that the desal construction rapidly accelerated their deterioration.

My opponents stated on ABC Radio two days out from the election that Deputy Premier Lucas had publicly guaranteed to withhold \$100 million from progress payments to restore people's homes to pre-desalination conditions. I could not find any reference by the Deputy Premier, so was my Labor opponent telling a complete untruth? Anything to grab a few votes; never mind the misery and false hope being peddled in abundance. This same Labor candidate did this in 2006, promising a call-in of a huge inappropriate development in Currumbin Valley. Labor tried to fool people then and I dearly hope that they are not doing so again now.

People with legitimate cases of damage to their homes and driveways deserve to be compensated, and I ask this government to show some decency and give them some assurance it will happen. After all, this project was forced onto the good people of my electorate with little warning, minimal environmental assessments and at a huge personal impost.

Yesterday I tabled a petition with 435 signatures seeking assurance from the state government that their properties will be restored. So many unanswered questions remain while the desal plant is not yet fully operating. Currumbin Sanctuary missed out again. The poor old sanctuary. There is still no funding from the government, yet the Premier callously milked it for a photo opportunity a day out from the election. I wonder why she did not turn up in her hard hat at the desal plant.

I am privileged to represent the people of Currumbin and to be a member of this, the 53rd Parliament. I look forward to serving both with the same energy, passion and vigour as I have done for the last five years, and I look forward to the debate with every member in this House.

Mr ELMES (Noosa—LNP) (8.27 pm): I am very happy to be able to stand here before the House tonight and deliver this speech to the address-in-reply. The fact that I am standing here means that the Noosa community, which I represent, has seen fit to honour me for a second term as their representative in the Queensland parliament. It is a huge honour and privilege made more so this time

by the fact that once the dust had settled and the last votes were counted I was able to attain just under 70 per cent of the two-party preferred vote. The challenge for me now in this second term is to continue to address the needs of my community and reflect their views in what I say both here and elsewhere, and try to achieve a similar result in the next election campaign.

It would be very remiss of me not to thank my campaign team headed by Nick Dondas and Matt Collins, and ably assisted by Barry Elms, Earle Bailey, David Peel, Jeff Nuske, Dean Williams and Karla Hobson. These wonderful people formed the core of the campaign team. In the lead-up to election day at prepolling, at declared institutions and on election day at the polling booths, something like 160 volunteers came out to support not just me but also the ideals and the policies of the Liberal National Party. I would like to make special mention of Lyn Parker and Barb Hannon in my office; my wonderful wife, Lesleigh, and my children, Teigan and Kristin, for their help, support and encouragement along the way.

The people of Noosa have rewarded me, and now it is up to me to reward them with a further three years of hard work and dedication on their behalf. While it is certainly better to come back into the parliament and see the numbers evened out somewhat, it is of course a disappointment not to be able to sit on the government benches. Nevertheless, Lawrence Springborg and Mark McArdle have an enormous amount to be proud of in opening the way for the creation of a new political party and to have given so much of themselves to achieve a great result on 21 March.

The fact that there are now 18 Labor seats with margins of less than five per cent means that the election due in March 2012 is within our grasp provided that we develop and articulate the policies and prove to Queenslanders that we have the energy and drive to see them out of the financial mess made much worse by the incompetence of Labor governments at both state and federal levels. It is fair that I should congratulate the Premier on the re-election of the Labor government and to also offer my congratulations to the members of her ministry.

I would like to single out the member for Ashgrove, the Minister for Climate Change and Sustainability. I know that the minister is passionate about the environment and I give her my undertaking that whenever possible I will work with her in a cooperative way when good ideas and good policies are put before the parliament.

It would also be remiss of me not to offer my congratulations to the Speaker upon his election. I trust he will use his time in this most important position to uphold the traditions and procedures that I value very highly in the parliament of Queensland.

During the election campaign my local campaign focused on three central policy planks. The first was the Noosa Hospital. This outstanding facility is the only hospital in Queensland that operates as a public-private partnership. It is an asset not only to the people of Noosa but also to the clients of the hospital who come from a catchment area stretching from Hervey Bay to Kawana.

Upon his appoint as Minister for Health, just two days after the election, I wrote to the Deputy Premier and reminded him of the importance of this hospital and the role that it can play in minimising waiting lists on the Sunshine Coast and beyond. There is room right now for this hospital to undertake an additional 700 public procedures a year. The hospital has a full roster of surgeons, doctors and allied health professionals, nurses and auxiliary staff. What it lacks is a commitment from the government to provide an extra \$3 million per year in recurrent funding that will allow the Noosa Hospital to operate at capacity.

What is also urgently required is for negotiations to commence with Ramsey Health, the owners, to extend the agreement under which the hospital operates out beyond 2019. The Deputy Premier has received my correspondence and I publicly issue the same invitation that I privately offered to him. That is to come to Noosa, visit the hospital, meet the staff and our community advisory board and he will see for himself the outstanding contribution that Noosa Hospital can increasingly make to Queensland Health.

Mr Wellington: It is a great hospital.

Mr ELMES: Yes, it is. The second plank of my campaign, and it is as important to Noosa as it is to the electorate of Gympie, was the proposal to build the Traveston Crossing Dam. I was very pleased to celebrate, not mourn, the third anniversary of the decision to build what cannot and must never, ever be built. The number of locals and visitors who attended on the day was considerably higher than last year. The fire in the belly and the determination to see the fight through to the end is just as strong as it was back in the days when Peter Beattie and Anna Bligh went to Gympie to try to sell something that could only have been thought up by a snake-oil salesman.

I have a photograph which hangs in my office here in parliament of me and my colleagues David Gibson, the member for Gympie, and Scott Emerson, the member for Indooroopilly. Beside the sign that reads 'Traveston Crossing Bridge' David Gibson provided another sign which we hung from this masterpiece of Mains Road engineering and gave the bridge a further name, that is, the 'Ronan Lee Memorial Bridge'. In smaller letters below that is, 'Brought to you by Labor and the Queensland Greens'.

It is that preference deal and the breaking of a promise given separately by Senator Bob Brown and Ronan Lee to the people of the Mary Valley and then callously disregarded that allowed this government to slink back into office on the back of broken promises. My colleagues and I will not forget the people of the Mary Valley. We do not want to see and will never agree to the building of the Traveston Crossing Dam. Instead, we want to see the Mary Valley remain part of the food bowl that serves not just the Sunshine Coast but South-East Queensland. Plentiful water from the Mary River together with fertile farming land and the protection of endangered species should have meant that this project was never given more than a moment's passing thought.

The third part of my campaign was the forced amalgamation of the Noosa shire into what is now the Sunshine Coast Regional Council. It is all right for some to say that the battle is lost, move on and accept your fate. I am here today to advise that the community of Noosa will never, under any circumstances, give up the fight to reinstate what should never have been taken from them in the first place.

If the Labor government had respected the legislation that existed in this parliament and allowed the people of Noosa and elsewhere in Queensland to determine their own future at the ballot box then the Noosa council would still exist. The determination of Noosa residents can best be illustrated by looking at the election result itself. With the exception of an Independent who stood in 2006 and only attracted about 200 votes, the political parties and in some instances the candidates who contested the 2009 battle were the same as before. Four of the five candidates campaigned on the central promise of restoring the Noosa council.

In the 2006 election the Labor Party achieved just 24 per cent of the primary vote—an all-time record low. On 21 March 2009 Labor managed just 20 per cent of the primary vote—a new downward spiralling record. Some 80 per cent of the people who voted in Noosa voted for candidates whose central policy was to uphold the values that we have built as a community over the past 30 years and restore a greater and sustainable Noosa shire.

There are some who call people who live in Noosa elitist. Nothing could be further from the truth. This is a community determined to plot its own future and it does not need the help of a dictatorial government imposing some fool of an idea called the iconic places legislation that at the time the Labor government asked the Noosa council to help write, such was the understanding of the government's own proposed legislation. I recommit myself to doing everything in my power to see that the residents of Noosa are given a democratic say in determining their own future.

For me personally the outstanding highlight of being re-elected for a second term has been my appointment as the shadow minister for climate change and sustainability. I would like to thank my leader, John-Paul Langbroek, for the confidence and faith that he has placed in me.

I come from a constituency that values its environmental credentials and that has carefully planned a future that includes a population cap based on the sustainable carrying capacity of the land on which we live. I want to use the time that I have in this portfolio to reflect those values and ideals. As I travel throughout the state I will adopt common-sense strategies that reward the environment and at the same time give certainty to the people who are prepared to work it and nourish it.

The world financial crisis has meant that the thoughts of many people have moved away from the environment and its protection. As a nation we have gone through these trials before. In time our economy and that of the world will improve. With a lot of hard work and sacrifice we may even pay off the enormous debt that will be left by the current state and federal Labor government. But for those of us who are interested and those who value the environment, we need to maintain our enthusiasm and commitment and promote what all levels of government can do through the framework of policy and legislation. Just as importantly, we need to promote the actions of what each individual Queenslanders can do to reduce their carbon footprint.

In the short time that has passed since I was appointed as the environmental spokesman I have been developing some ideas that I know will complement the views held in my own electorate. I hope that by example we can engender those same values in the people of Queensland.

Every political party in the federal parliament has a view as to the types of targets and conditions that Australia should adopt as part of an emissions trading scheme. We see constant references, plans, ideals and legislation being put forward around the Carbon Pollution Reduction Scheme. Nine separate bills and over a thousand pages in explanation were presented to the federal parliament last week. It is an issue of unbelievable complexity and seeks to prepare Australia for the conference that will take place in Copenhagen in December this year which hopefully will set new, meaningful limits on carbon emissions worldwide.

Federal Labor seeks to rush through these bills and set targets prior to the conference in December. If the legislation is not due to commence until 1 July 2011, why in heaven's name would we rush through legislation so complex that it is doomed to fail when we have over two years to get it right?

Australia should—and I am sure it will—play a leading and constructive role in the conference in December and we should be prepared to match the targets agreed to by the world's other developed economies.

With 1.4 per cent of the planet's emissions, it is not Australia's place to be out in front of the rest of the developed world. But we must reduce our emissions in line with the targets set and do it in such a way that it does not export Australian and Queensland jobs offshore. For my part, I do not want to lose sight of what each individual Queenslanders can do in their own small way to reduce their carbon footprint and play a personal role as part of the overall collective solution.

I look forward to playing a very constructive part in the 53rd Parliament and I wish not only the members of this parliament who have been elected for more than one or two terms but also those who are here for their first term the very best in the coming three years.

Mrs MILLER (Bundamba—ALP) (8.40 pm): I am humbled to be re-elected as the state member for Bundamba for a fifth term of office. I want to thank Steve Axe and Tracey Bradley, my electorate officers; my former electorate officer and very dear friend, Michael Bertram; loyal members of the Australian Labor Party, especially Frank and Joyce Dudman; Bruce McLean and his family; the Donohue family; the Bradley family; members of community organisations across the electorate; the Samoan Advisory Council; the great Goodna rugby league club and other sporting clubs; our fantastic trade union movement, especially the LHMU, the CFMEU Mining and Energy Division, the ETU and our other unions; and our churches. I particularly want to thank my family—my husband, Neil; Stephanie and her husband, Gregg; my daughter Brianna; my mother and father; and also my extended family, which includes the Pringles, the Millers and the Kitchings. I want to thank Councillor Tully and Councillor Morrison for their support as well.

There were a number of issues raised during the campaign which I want to address this evening. In relation to Blackstone State School, I want to point out that the decision to close the school was made by the previous minister for education, Rod Welford. It was his decision alone. P&C members conducted a spirited campaign against me, yet I still won the Blackstone State School booth. They gave out how-to-vote cards for the LNP across booths in the electorate. They dressed their children in school uniforms on election day—no doubt to try to obtain public sympathy—yet it could not change the fact that only 50 local students go to the school. Thank goodness most of the locals were aware that I am trying to save the school buildings for the local community.

The P&C and the parents need to accept that this fight is now over, that their school will close at the end of this year and that they need to get on with their children's schooling. There they were in bed with the LNP—better known as the Tories in an electorate like mine—tucked up in some sort of wild passionate affair to somehow save their school. They need to accept that they were used by the LNP and their kids were used by the LNP, and now that the affair has run its course I bet they will not see hide nor hair of them until the next election. Hopefully the passion that they have put in to attempting to unseat me can now be put into volunteer work at their new schools or into community organisations, churches or other groups. I hope they consider this seriously.

I now want to address the State Schools of Tomorrow initiative. This is a \$134.1 million injection of money to purchase much-needed new facilities in our local schools. I am pleased to advise the House that at the Bundamba State Secondary College the internal refurbishment of the administration block is now complete, with the lower student services area, the staff common room and the upper corporate services areas now in use. The new music centre is in use and the students just love this facility. The performing arts centre and the cluster leadership centre are well on the way. A site office for the construction of these excellent new facilities is being put in place early next week, having been delayed due to the rain this week.

The Riverview State School will be refurbished, with a major extension and refurbishment of the administration block and the library, a new covered area, new outdoor-learning areas, a redefined junior precinct with a covered area and playground, classroom refurbishments with improved ICT facilities embedded, landscaping and other minor works. Contracts for this project close on 31 May this year and, if all goes to plan, contractors will be on site in late June this year. These schools will also be part of the federal government funded programs for, for example, upgraded libraries and community halls.

Dinmore State School will close at the end of the year. A ball has been planned and there are other activities planned as well. Past students are contacting the school and my office to see how they can contribute to the end-of-year activities. We are going to celebrate the good times at Dinmore State School, the history and hopefully its new era as a community facility. There are also three new schools planned for my electorate—Collingwood Park, Bellbird Park and Springfield. Planning is well underway to deliver these new schools.

In relation to Collingwood Park, the Queensland government response to the mine subsidence event on Anzac Day last year in a few streets in Collingwood Park has resulted in 18 properties being identified for purchase, with 16 having already been settled. Nine properties were purchased because they were considered to be uneconomical to repair and seven properties were purchased due to the

special circumstances of the property owners. Up to 30 properties have been identified as possibly needing repair, and the department has brought forward the scoping of repair works and will provide these to property owners as soon as possible. This is part of the \$10 million package to the people affected in the mine subsidence area by our caring Labor government. We have put government money in to assist the local people because we care about the people who have been affected. Members of the community are still waiting for the commencement of the Collingwood Park marketing campaign which was promised by council nearly 15 months ago. I trust that the council will set aside the appropriate funding in its forthcoming budget to allow this commitment to be met. It is never too late to start this campaign.

Whilst talking about this mine subsidence event, it is my belief that certain issues should be made clear. Much has gone into muddying the waters insofar as who may or may not be ultimately responsible for the mine subsidence, even to the level of some blaming governments of decades ago. One fact remains, however, and several householders have reminded me of this over the past few months: no matter the town-planning scheme and the arguments there, when the homeowners applied to build their homes in Collingwood Park they tell me that they paid for building applications to the Ipswich City Council. Their plans were approved by the council and their houses were inspected by council prior to occupancy. This was how it was in that era and the council has collected possibly millions of dollars in rates since Collingwood Park was made a suburb. Words may be used to muddy the waters and deflect blame in the media, but many residents are saying to me that it may well be the courts that determine the ultimate responsibility.

In terms of the other end of Collingwood Park, I want to advise the House about the health effects of a development at the top end of Eagle Street. Numerous people have contacted me in relation to this new development. People are suffering from respiratory illnesses including asthma, hay fever, bronchitis, pneumonia and sinusitis due to the disgraceful levels of dust and dirt from this project. People who have had no history of respiratory illnesses are now on medication due to the non-caring attitude of this developer. Only when I raised the issue with the Minister for Health and health officers intervened was the developer prepared to comply with the development approvals of the council.

Dust is always in the air, day and night. Furniture inside and outside the houses is covered in layers of dust. Cars left outside overnight have to be hosed off due to the layers of dirt and dirt has to be hosed off or wiped off outside furniture before use. The people living near this development, including my family, have had a gutful of the development and want the developers prosecuted—no ifs, no buts or maybes. Long term, I hope that health impact assessments prior to the council considering development applications should be mandatory. It is not good enough to have social impact assessments and environmental impact assessments and not consider the health impacts on our local people. Health impact assessments are part of the process in other parts of Australia and overseas, and I believe that it is about time these assessments were undertaken in Ipswich to protect the health, welfare and lifestyle of the valued members of our community.

In relation to Redbank Plains, constituents throughout the campaign wanted the roadworks at the lights, which are near the Redbank Plaza Shopping Centre, to be finished. They were telling me that it has gone on for so long that they no longer regard it as a roads program; they think it is a job creation program. The delays are incredible at peak hour, so I am asking whether that project could be hurried up.

The link road between Goodna and Redbank, that is the extension of Smiths Road, needs to be pushed along. As I understand it, our government, through the Main Roads Department, is keen to build this new road as soon as possible. I hope that the council allocates its half share of funding to this project in the upcoming budget. The locals want this road to be built as quickly as possible as a link road is necessary.

The new skate park in Goodna is going to be officially opened this Saturday. It is jointly funded by our Labor government and the council. I hope it will be well used by our local youth. Congestion in Queen Street at Goodna needs to be addressed as well. Some people have suggested that Mill Street should be closed off leading to the roundabout. However, that needs to be fully examined by engineers who are expert in this field.

I understand that construction is due to start this week—although I am not sure of that with the interference of the rain—on the new regional Springfield Police Station. I understand that the slab is about to be poured. The new ambulance station is also going ahead, with planning well advanced. Of course, as I mentioned before, there is going to be a new primary school built in Springfield in future years.

People love our new public primary schools, because they believe they offer first-class quality education and they can see the success of the Springfield Lakes State School. I am concerned, however, about the developers. Developers need to stop their selfish attitudes in relation to the size of land that is needed for these new schools. I understand that their first option is to suggest the worst possible land locations for state schools. The second option is not to negotiate the appropriate land size

for these schools, as they do not want to give over one more square centimetre of land that they could use as part of a house block. They have the hide and cheek to employ their own educational officers, who are no more than glorified lobbyists, in my view, to try to tell educational professionals how to do their jobs. In fact, I wonder whether these employees and others in similar circumstances are required to be listed as lobbyists, as this is essentially the role they undertake.

I would like to advise the Minister for Education and other ministers that when land is needed across the electorate to build essential government facilities they should simply get on with it and use the Acquisition of Land Act to obtain the appropriate land for these essential services. Land required for schools, police stations and ambulance stations is important. There comes a point in time when governments need to stop the niceties and get on with it, and all governments have the legislative framework to do so. In my view they should not be reluctant to use these powers.

I would like to comment briefly about a proposed school known as the Searchlight School in the Springfield area. I have written to the Minister for Education about the total lack of consultation with the community. I believe it is simply not good enough to argue that it is not a requirement of the act. When are there enough private schools in the Springfield regional area? There are five private schools, all funded by the federal and state governments. They are the Springfield Anglican College, St Augustine's College, St Peter's Lutheran College, the Staines Memorial College and Westside Christian College. They are all good schools, but there are only two state schools at present in the Springfield area: Woodcrest College and Springfield Lakes State School.

Following the article in this week's *Satellite*, constituents have asked me why this organisation has failed to consult with the community when it should have as a good corporate and good educational citizen. They also want to know what role the developers have had in this process. Perhaps the Education (Accreditation of Non-State Schools) Act should be reviewed completely. In doing so, it should become a requirement that all private schools consult widely with the community. They should have to establish the need for a private school, the demand and supply projections and the proposed fees for students.

I am personally concerned that the choice in the Springfield area is greater among the private schools than public education. Yet public funds are being used to fund these private schools. Constituents are getting very angry that if they choose not to send their children to Woodcrest College, their only choice locally is to pay many thousands of dollars a year to send them to a local private school. That is money they either do not have or money they resent spending owing to the lack of choice in public education. They are rightfully questioning these matters. They are rightfully questioning when are there enough private schools, when is there enough choice in the private sector and why is it that taxpayers' money is being used to fund the private sector when it could be used to fund public education.

The Springfield area is not necessarily what it is marketed to be. It is not necessarily a rich, middle-class area with residents on mega incomes. There are many people who are true, blue, ordinary PAYE wage earners. There are many people on pensions. There are many single parents. There are many parents both working their guts out to pay the mortgage and to put food on the table. This is the reality. For many of these families in these new suburbs, it is a tough existence.

I would now like to turn to the new Springfield parklands. There is significant public money invested in these parklands by the federal, state and local governments, but the community is confused as to who is designing it. I understand that the detail of the design has not been made public for display or comment. That needs to happen as soon as possible. The community has told me that it wants an RSL memorial, an outdoor chapel for weddings and christenings, a storybook garden for the little people in our suburbs, and some families have even suggested a fort so that kids can play cowboys and indians. The plan should be made public so that everyone can contribute and make some suggestions.

In relation to the Darra to Springfield railway line, as people in the Springfield area know, it was not funded by the federal government in its recent budgetary deliberations. However, there have been discussions between the Springfield Land Corporation and the Queensland government over the past couple of years. The railway line will be built by 2015. As I understand it, it can be brought forward, but it is important that the developer contribute to the bring-forward cost to deliver it earlier and that is what the community wants to happen. Just as developers have to contribute to councils in relation to infrastructure, such as roads and water, so, too, should they be made to contribute to the railway line.

I am very concerned about the impact of this global economic recession. The cost of housing, the banks' tightening of deposit requirements and the sheer level of monthly repayments is having an enormous impact on our community. It is having an even greater impact on our welfare organisations, which are slowly running out of money. Unemployment is having a dreadful effect on the people in the Bundamba electorate. People are coming into my electorate office looking for work as they have just been laid off from the industrial estates nearby. Unemployment is the worst social and economic evil in our community. It affects the person, the family, their way of life, their standard of living and whether they

can afford to stay in their own home. I am asking the government to maintain our employment programs, either at the current levels of funding or to consider increasing the funding given the projected rise in unemployment.

Yesterday, I asked the Minister for Main Roads about the Ipswich Motorway upgrade. It is powering ahead. There will be opportunities for locals to work on this project. Currently, I am negotiating with departmental officers in relation to training programs in association with this upgrade.

This is the fourth recession that I can recall. I remember the 1974 recession, the 1983 recession, the 1991 recession and now the 2009 recession. Many people in our community have never experienced a recession, but they need to know that they have to pull their horns in. They need to talk to the older people in our community—those who recall not only those past recessions but also the Depression.

In relation to the election, on legal advice I cannot comment on opponent candidates in the election campaign. But I can say that anyone involved in defaming me, whether in the campaign or in internal party forums, whether by way of letters, speeches or conversations, can expect legal action against them as no-one is above the law. My lawyers are hard at work on these matters. However, I have a new nickname: 'Rocky' Miller.

I would like to thank the people who elected me for a fifth term in this parliament. I will continue to work hard and give honest representation. I will tell it how it is and I will not be intimidated by anyone, no matter who they may think they are, whether they are in the political world or the business world, or any other world. I will continue to call to account those who make promises but fail to deliver in my community. I will expose the shysters and the corrupt, the spivs and the crims who prey on the people in my electorate. I will stand up for working families who do it tough day in and day out, the working poor who are going backwards and who need our help. I will be there for them.

I will continue to look after the poor, the sick, the disadvantaged and the elderly. I will stand up for what is the right thing to do in our community. I will fight for justice in our educational system, the right of our young people to reach for the stars no matter what their background or their family income. I will fight for the right of people to get a job, for them to get a decent wage for their work, for the right of people to get access to training and for them to be members of a trade union movement. I will continue to lead our community in these uncertain economic times by community and individual empowerment, by love, by prayer and by showing real care and commitment.

Together in the Bundamba electorate we will get through these tough times. Together we will make a difference. Together we will look out for and look after each other and we will take in and welcome as our neighbours those who are oppressed and ridiculed in other areas of the world. The road may get rough and rocky. We may kick our toes and we may fall over at times, but rest assured that I will be there out in front doing my best always with our community's interests at heart and together we will see better times. We do not really know when and we do not really know how, I reckon, but we will get through it together. This is my sincere and personal commitment to the people of the Bundamba electorate.

Hon. SJ HINCHLIFFE (Stafford—ALP) (Minister for Infrastructure and Planning) (9.00 pm): I wish to once again extend my best wishes to the Speaker in this week, a week when the institution of the Speakership is indeed being tested in the so-called mother of parliaments. Further I wish to congratulate all the new members of the 53rd Queensland Parliament who have made their first speeches, some of which have been very memorable.

However, my purpose in rising in this address-in-reply is to make the appropriate commitments to our form of government and to the people of Queensland before making some remarks about the new electorate of Stafford and the recent election. I say 'new electorate' because, as a result of the 2008 redistribution, while the name has remained the same some significant changes have occurred. Basically all of the areas of the former electorate east of Gympie and Lutwyche Roads on the north side of Brisbane have been transferred to the divisions represented in this House by the members for Nudgee and Clayfield. In compensation, the suburbs of the Grange, Wilston and parts of Alderley, Newmarket, Windsor and McDowall have joined my constituents in Stafford, Stafford Heights, Gordon Park, and parts of Chermside, Chermside West, Kedron and Lutwyche.

Whilst these boundary changes have resulted in local institutions close to my heart and important to my northside community, such as the Chermside Historical Precinct, the Kedron-Wavell Services Club, the historic Edinburgh Castle Hotel and Wavell State High no longer being in the Stafford electorate, I am committed to these new boundaries and enjoy the support of the people who live in the electorate of Stafford. I did, however, join the minister for Police, Corrective Services and Emergency Services and the member for Nudgee at the recent celebrations of Wavell State High School's 50th anniversary, a very enjoyable occasion indeed with many people who were reminiscing about old times at that great and important state public high school on the north side of Brisbane.

While I was very disappointed in the Electoral Commission's decision to divide up the important regional activity centre at Chermside, I am excited by the wider range of northside institutions which I am equally passionate about that now fall into the new electorate of Stafford. One is Valleys Juniors Rugby League Club which, from its ground and family-friendly clubhouse at Emerson Park, the Grange, carries on the traditions of Queensland's first rugby league club as the Diehards playing in the royal blue.

Mr Dick: The mighty Diehards!

Mr HINCHLIFFE: I acknowledge the interjection from the Attorney-General. Another historic local club is Grange Thistle Football Club which this year celebrates its centenary of soccer on Brisbane's north side. These clubs join Stafford electorate mainstays, such as Wilston Grange AFL, Brothers Juniors RLFC and the Brisbane Netball Association, as important institutions, in particular for young people involved in the healthy activities of junior sport.

During the election I enjoyed meeting many new people in the historic and rapidly changing tin and timber streets of those new areas of my electorate. But standing at this time I also want to express my ongoing appreciation to the great Australian Labor Party for its endorsement of me as the Labor candidate and acknowledge the outstanding campaign run by our team in Stafford. My campaign director, Dave Mortleman, other team members, Katie Hume, Sue Jablonski, Michael Mellifont, Glen Chatterton, Brenton Hill, Anne Syvret, David Jones, Ian Schmidt and James McCarthy all made an outstanding contribution to the campaign. Others who went beyond the usual call included James White and Zac Skyring. My wife Megan and the whole of our families and our friends were tremendous contributors to the campaign, as I know were the families of members across this parliament to their campaigns.

It was a tough election campaign where significant local issues were not entirely lost in the maelstrom of the global recession. The ongoing challenges to my local community arising out of the development of Australia's largest infrastructure project are not ignored. I look forward to my new role of working to get the best outcomes not just for the congestion-busting and public transport outcomes that the Airport Link project will provide but also for the liveability of our local suburbs.

The correct decision to commit to a single children's tertiary hospital was a significant challenge to a northside community understandably attached to the Royal. I will pay tribute to my friend Bonnie Barry by working with Minister Lucas and Parliamentary Secretary Watt to deliver the children's emergency department at the Prince Charles Hospital in my electorate.

Ultimately it was the Bligh Labor team's commitment to jobs, not job cuts, which saw my re-election and the re-election of the government in this sequicentenary of the separation of Queensland from New South Wales. This 150th anniversary comes at a time of global economic circumstances that are reminiscent of the 1890s and the 1930s. That is why I am proud to serve the people of Stafford and, indeed, the people of Queensland by continuing a building program which will put food on the tables of many families and cash in the tills of many businesses and also develop the infrastructure needed for our state to be prepared for the inevitable global economic upturn.

Debate, on motion of Mr Hinchliffe, adjourned.

SPECIAL ADJOURNMENT

Ms SPENCE (Sunnybank—ALP) (Leader of the House) (9.06 pm): I move—

That the House, at its rising, do adjourn until 9.30 am Tuesday, 2 June 2009.

Question put—That the motion be agreed to.

Motion agreed to.

ADJOURNMENT

Ms SPENCE (Sunnybank—ALP) (Leader of the House) (9.06 pm): I move—

That the House do now adjourn.

Stories of the Redlands Exhibition

Dr ROBINSON (Cleveland—LNP) (9.07 pm): Last Wednesday evening I had the privilege of attending the Redland Museum for the official opening of the new exhibit, *Stories of the Redlands*, by the Governor of Queensland, Her Excellency Ms Penelope Wensley. *Stories of the Redlands* was jointly funded by the Redland Museum, Redland City Council and the Queensland government. The Q150 Community Funding Program provided \$10,000 towards the cost of the project.

The project's purpose was to celebrate the sesquicentenary of Queensland by the development of a high quality permanent exhibition in the Redland Museum to showcase the development of the Redlands area from the very early colonial period to the present. The exhibit is presented as a series of story panels that describe key events and milestones in the history of the Redlands. I will share some of those stories with the House tonight. The display begins with artwork depicting the creation stories of the original inhabitants of Stradbroke Island, the Quandamooka people. One such painting is the original work of Minjerribah native and Aboriginal activist, Oodjeroo Noonuccal, known locally as Aunty Kath Walker.

For the period immediately following colonisation of Queensland and the establishment of Brisbane in 1824, the Redlands was a loose collection of farms and tracks nestled between the low scrub and thick bushland. In 1865 the Queensland government established the Dunwich Benevolent Asylum on North Stradbroke Island as a halfway house for the destitute and infirm. As Dunwich developed so did the mainland facilities to support it, causing considerable immigration from Brisbane to the Redland Bay area. The Redlands gained a reputation as prime agricultural land right outside the capital city.

The most popular crop in the Redlands in the early stages of farming was sugar cane, with the rich red soil proving incredibly fertile. The exhibit tells the story of Captain Louis Hope who built the first commercial sugar mill in 1868 to crush his own cane. Captain Hope is described as the father of the sugarcane industry in the Redlands. By the late 1880s sugar was being replaced by fruit and vegetables, especially pineapples, passionfruit, bananas, custard apples and citrus as well as potatoes, lettuce, tomatoes and strawberries. Up until the late nineties, the Redlands was still referred to as the salad bowl of Brisbane.

The rail line to Cleveland was completed in 1889, and with it tourism, residential subdivisions and farming further grew in the area. The rail line continued further than it does today, terminating at Cleveland Point. Today, there are strong calls for the rail line to Cleveland to be duplicated.

The display also tracks the development of water reticulation in the Redlands, from the initial construction of the Leslie Harrison Dam to the extremely well-engineered supply from North Stradbroke Island. It has taken the team thousands of volunteer man hours to make this display possible. The president, Mr Ross Bower, and the vice-president, Mr Paul Field, are to be congratulated.

Bundamba Electorate, Drainage and Retaining Walls

Mrs MILLER (Bundamba—ALP) (9.10 pm): Over the last few days a lot of rain has fallen over South-East Queensland including in my great electorate of Bundamba. Street after street was shut by rising floodwaters. The Ipswich Motorway was carrying so much traffic that it once again slowed to a stop. Redbank Plains Road—the alternative route through to Ipswich—was also cut. The back way—the rat run through Goodna along Brisbane Terrace—was also cut and Kruger Parade was cut off as well.

It seems to me and members of my community that something more permanent needs to be done about the drainage systems in our area. It is not uncommon to have Brisbane Terrace at Goodna under water without a lot of rain. So, on behalf of the community, I am requesting that these drainage systems, particularly in the low-lying areas of my electorate, be reviewed and, if it is found to be necessary, for engineers to take appropriate action so that more run-off can go into the drains when these big rain events occur.

With these increasing rain events and the decreasing standards of building and construction works, in my view, I want to alert the House to the problems of retaining walls. Many constituents in my electorate, including a very dear friend called Tom, have had numerous problems with retaining walls. Retaining walls I know are a major problem across the state, particularly when councils refuse to enforce development approvals, and they are a major headache as well for the Building Services Authority. I feel very sorry for the general manager of the BSA, Ian Jennings, and his staff because they must rip their hair out in relation to this issue of poorly built retaining walls. I am of the view that the laws pertaining to retaining walls need to be reviewed to ensure that at all times, and especially for those in new developments, strict approval processes are in place and that at all times these walls are engineered, built and approved to the standards that are laid down.

Another family at Augustine Heights—another new suburb in my electorate—is also complaining about their particular retaining wall. Neville, the owner, calls it 'the waterfall'. He does not even call it a retaining wall. Neville's wife has moved on because of the stress and, because it is a small wall, no-one in authority appears to want to help him.

Over these last few days several retaining walls in the electorate have fallen over and fences built on top of these walls have collapsed. Insurance companies do not want to know about it as they say it is an act of nature. On behalf of all the households who have been ripped off by builders and developers, flooded out and swamped—those who have received little or no help from their councils and other areas—I ask that the laws pertaining to retaining walls be reviewed and that councils responsible for development approvals of retaining walls prosecute these hillbillies who cut corners and then thumb their noses at innocent homebuyers.

Faith Lutheran College, Funfest

Mr DOWLING (Redlands—LNP) (9.13 pm): I stand to commend members of my community, more particularly members of the Faith Lutheran College community. Last Saturday the community held their 26th Funfest. Funfest is a fete which enjoys tremendous local support from the residents of Victoria Point and surrounds—an event which I had the privilege to officially open.

The event is a focal point every year—rain, hail or shine. Locally there have been quite a few wet days. In fact, last year there was a storm of biblical proportions which saw the popular fireworks display cancelled. This year the day was a picture postcard day and enjoyed by thousands of my constituents. The day and its success was due to the hard work and commitment of the Parents & Friends Association, led by President Kerrie Muir. I take this opportunity to thank Kerrie on behalf of the community for her role. Kerrie held the event together—coordinated parents and stalls and kept everyone informed of what was happening and what needed to be done. Kerrie's commitment to this event was outstanding.

Tony Forbes was the site and stall coordinator, and I recognise him as well. He organised where each stall would be to ensure the layout of stalls and rides allowed for good flow-through of those attending. There were also many staff and parents involved—too many to name. Not to forget the donations from parents of goods and prizes for many of the games, over 65 local businesses donated prizes and major auction items. I add my thanks to those businesses for supporting the school. As I understand it, the school has placed a recognition on its website in an attempt to thank the businesses for their support.

Faith Lutheran is very community focused. It provides community groups free stalls to allow them to promote their activities—groups such as the surf-lifesaving movement, Safety House and Guides. Paul Stanley was in attendance with the Matthew Stanley Foundation, and Joe Cranich, a serving police officer—I am not sure of his rank—was there promoting police recruitment. Joe is well known to my community for his work in community policing and more specifically for his work with seniors. Relay For Life was there as a fundraising event for the Queensland Cancer Council. Faith has a history of partnering with many well-known community groups.

In closing, I recognise the school principal, Anthony Mueller, the college council, the heads of college and many other staff who rolled up their sleeves to put in a full day as volunteers on various stalls. It was great to see so many dedicated staff enjoying the day and their commitment to building community spirit and being a volunteer helper for the day. Thanks also to Deb and Brian Oslan for their dedication to the thirsty attendees.

Finally, I recognise and thank Catherine Williams, marketing and development officer, for the work she did to ensure the day was a success. Early figures suggest that funds raised on the day were above those of previous years, indicating amazing support that the community gives this college.

Eatons Hill State School

Mr WATT (Everton—ALP) (9.16 pm): The recent funding announcement by Kevin Rudd's federal government was great news for Queensland primary schools. This means thousands of better classrooms, playgrounds and libraries for Australia's schools and thousands of jobs for tradespeople around the country.

This announcement was particularly good news to the students, parents and staff of Eatons Hill State School in my electorate. Since the school opened in 1998, the state government has provided many new facilities at the school including classrooms, administration areas, ovals and prep facilities. But it is still missing one thing—a school hall. The school's Parents and Citizens Association, ably led by Craig Gurnett, has spent years fundraising to build a school hall. Through blood, sweat and tears they have raised a huge sum, as well as getting funding from this state government and the local council, towards their hall.

But despite all of this, they were faced with having to take out a large loan to build their kids the hall they deserve. So they were very excited when they heard that Kevin Rudd's government was going to put money into every primary school around the country. Initially there was some confusion as to whether the school would qualify for funding. Sadly, the federal Liberal member for Dickson, Peter Dutton, made things even more uncertain by questioning in federal parliament whether the school was eligible for funding.

To ensure the school got funding, I worked hard for weeks with the school, its P&C and the federal member for Petrie, Yvette D'ath—and the school is not even in her electorate—to convince the state and federal governments that Eatons Hill State School was as deserving as any other in obtaining funding for its hall. Many phone calls were made, letters and emails were written and press releases were issued, all aimed at making sure the school would benefit from this funding.

So all involved with the school were immensely relieved to hear that the federal government will provide \$3 million in funding to the school to assist with the school hall and other facilities. This is the maximum amount of funding that a primary school can receive under this program. Getting this commitment means that the P&C can use its hard-earned funds for other projects around the school, and they will not be burdened by a large debt for years to come. This is obviously great news for the school, and it is also a big win for the Eatons Hill community as a whole.

Currently, Eatons Hill has no building in which to hold community events. Already a large number of community groups—including sporting clubs, church groups and adult education providers—have expressed interest in using the hall when it is built. I am really pleased for the school community and the whole of Eatons Hill that we have been able to guarantee that this hall will at last be delivered. It shows what is possible when members of parliament, a school's P&C and its staff work together to convince governments that their needs must be met. I look forward to this being the first of many successful efforts to get results for the people of Everton.

Baralaba Hospital

Mr SEENEY (Callide—LNP) (9.18 pm): The community of Baralaba within my electorate has been angered by the forced downgrading of its local hospital and the forced removal of four long-term aged patients. The hospital at Baralaba is 83 years old and has served that community for all of that time.

The downgrading of the hospital has allegedly been at the behest of the fire service, which has suddenly decided that the hospital poses a fire risk. The people of Baralaba and I have much difficulty in accepting that the reason given by Queensland Health for the downgrading of their hospital is a genuine one. Be that as it may, Queensland Health has done nothing over the years to improve the fire risk rating of Baralaba Hospital and now seems all too keen to use it as an excuse to forcibly remove the four long-term aged patients from the community in which their families reside and in which they have spent the majority of their lives.

There is a promise from the health minister to construct a new hospital facility at Baralaba but, understandably, the people of Baralaba and the surrounding community are very sceptical that this promise will be met, given the stringent financial conditions facing the state government. What those people need from the health minister is a written assurance that the health services they currently enjoy will be there in the future. They need to know that the new hospital will provide the services that they and their surrounding community have now and deserve in the future.

It is always difficult to get doctors to serve in these small communities. With the downgrading of the hospital at Baralaba, it will become even more difficult to fill the position of resident medical officer there, a position which provides a doctor's right of private practice not only in Baralaba but in the neighbouring town of Wowan. These health services are critically important to the lifestyle of those people who live in those areas. They are understandably angry at the fact their hospital has been downgraded. I call on the minister tonight to ensure not only that they receive the written assurances they need but that the new hospital delivers the hospital services and the aged-care services that the community of Baralaba and Wowan deserve.

Gateway Upgrade Project

Mr KILBURN (Chatsworth—ALP) (9.21 pm): On 13 May, I was pleased to participate in a tour of the Gateway Upgrade Project with my colleagues the Minister for Main Roads and the member for Bulimba. I was also very happy to witness the rapid progress that is being made on this \$1.88 billion infrastructure project. This is the largest bridge and road project in Australia. I got a good understanding of the significant benefits that this project will deliver to the people in my electorate of Chatsworth, as quite a few kilometres of the upgrade go through my electorate.

I was particularly pleased to visit the works occurring between Wynnum Road and Old Cleveland Road, and I was informed that changes had been approved by the government that will see this section of the motorway increase from the old four lanes to six lanes and that this will be increased to eight lanes by 2010. This will provide eight lanes of traffic all the way from the southern side of the new Gateway Bridge to Old Cleveland Road. This change, which was approved by this government, will greatly improve the travel options and travel times for the people in my electorate of Chatsworth and in the surrounding electorates.

During the visit, it became obvious what benefits this visionary project is providing to the people of my electorate and to the Queensland economy in general. About \$450 million of the budget is going into wages, and that makes it a fantastic job creation project that will benefit businesses in the Chatsworth electorate and its surrounds. Whilst we were there, we were informed that over 5,000 workers had been inducted into the Gateway Upgrade Project site. Once again, this highlights the great jobs that are being created by this project. Add in the flow-on effects to businesses, and it is easy to see that this Queensland government infrastructure program is delivering real benefits to the economy.

During the visit, we were also able to see the progress of the free-flow tolling infrastructure that will be fully operational from July. Once again, this decision by the government to improve the flow of traffic along the Gateway will be of great benefit to all the people in Chatsworth who regularly use the Gateway arterial road. I was also able to visit the information centre located at 1051 Lytton Road. I encourage as many people as possible to visit this centre to get a true appreciation of the benefits of the project.

I would also like to congratulate Ms Kim Hilliard and her community relations team for the Gateway Upgrade Project who have helped me with a number of issues regarding the building of the road. Obviously, something of this size will create problems, and I am very happy to commend the Queensland government, Queensland Motorways and the principal contractor for their commitment to the public consultation process and the job they have done to alleviate the inevitable pressures caused by this huge infrastructure project.

Gold Coast, Tourism and Sporting Events

Mr STEVENS (Mermaid Beach—LNP) (9.24 pm): I am pleased to rise in this House tonight to deliver the good news from the Gold Coast and to again provide the Labor government with some positive advice for tourism and events on the Gold Coast. The good news is that, on top of our National Rugby League team, the Titans, the new national soccer team and the national basketball and AFL teams, we are the frontrunners to secure the 15th team in the international rugby Super 15 tri-nations competition. In fact, as prominent Gold Coaster and rugby identity Mr Terry Jackman suggests, the incorporation of the Gold Coast with the Pacific Island nations of Fiji, Tonga and Samoa would undoubtedly be of enormous benefit to international rugby, the Gold Coast rugby fraternity and Queensland rugby in general. The further utilisation of the brilliant Skilled Park for first-class rugby would be another jewel in the sporting and events capital of Queensland and Australia and would provide additional incentive for our New Zealand 'bros' and sisters—which is Queensland's biggest international tourism market—to come across the ditch and spend their tourism dollars on a regular basis.

This brings me to my next bipartisan suggestion to assist the Bligh Labor government and the Queensland Events Corporation in procuring worthwhile tourism events for Queensland and the Gold Coast. Recognising the enormous economic benefits in sports marketing and event tourism, I am certain that the establishment of the Gold Coast super sevens rugby tournament on the Gold Coast at Easter time would be a resounding success, not dissimilar to the Hong Kong Sevens, which has glowing international recognition as a world-class sporting event and brings millions of dollars to the Hong Kong economy. A combination of a horseracing carnival at the Gold Coast Turf Club, a golfing spectacular over the many courses on the Gold Coast and a coming together of rugby teams from all around the world and across Australia would be a carnival atmosphere too alluring to resist for any red-blooded rugby bloke as well as thousands of rugby-supporting ladies who would undoubtedly max their credit cards while shopping throughout the magnificent retail outlets on the Gold Coast.

We have the facilities on the Gold Coast, we have the accommodation on the Gold Coast, and it is ideally located for the rugby-loving Kiwi nation to fly to. I cannot think of one reason why the Bligh government should not get behind this guaranteed winner for Queensland. QEC should not come up with reasons why it cannot be done but with ideas on how it can be done. In this challenging economic climate for tourism to Queensland, every opportunity to promote a new initiative should be pursued relentlessly because, whatever Hong Kong has as an attraction for their rugby carnival, we have more and better on the Gold Coast and are only six hours away. The failed sevens tournament in Adelaide is no barometer to judge this proposal against because taking rugby to Adelaide is akin to taking lions to a Christian gathering at the Vatican. I look forward to Queensland Events and Mr Geoff Dixon pursuing this proposal to the fullest extent.

Martheze, Mr F

Ms DARLING (Sandgate—ALP) (9.27 pm): Tonight I pay tribute to an outstanding member of my local Sandgate community. Frank Martheze—musician, family man, community friend—passed away recently and his death took us by surprise and has left a huge hole in the heart of our local community. We feel that we were not ready to say goodbye. Frankie was a well-known community identity and he and his wife, Karen, ran Ironwood Cottage in Sandgate, which sells a great range of healthy and organic foods and is very well stocked with gluten-free produce. At Frank's funeral, his son described his father with two simple words—'unconditional love'. I know that description struck a chord with so many at his packed funeral service.

In all my dealings with Frank, I never felt judged by him, I always enjoyed his gentle presence and cheeky outlook on life. Frank was a talented musician and played in various bands at venues all around Australia and the world. Local residents were lucky to see him at regular performances around Sandgate, including at the Bluewater Festival, Music by the Sea and the Unplugged Cafe, which hosts

performances of local musos in the Sandgate Community Centre. He performed at my Queensland Week concert at the PCYC last year and was 'pure Frankie', with just his voice and acoustic guitar entertaining us.

On Saturday night, 30 May, family, friends and business owners are banding together to present a concert for Frankie at the Sandgate Town Hall. The program will include 'friends of Frank' and Martheze family members, with Frank's son Troy Martheze making a special guest appearance. The remaining members of three of Frank's popular bands—Stonehouse, Freewheelin' Franklins and Tribute to Santana Project—will be getting together to perform, along with several other acts.

The inaugural Frank Martheze Encouragement Award will be presented by Frank's wife, Karen, and son Ruben to Nashville State School's music coordinator, Julie Shepherd. The trophy and prize money will be awarded annually to the grade 5 student who best demonstrates a genuine passion for their music studies throughout the year.

Sandgate is a vibrant musical, artistic and cultural community, and I pay tribute to all who combine their passion with hard work to produce the festivals, concerts, plays and exhibitions we so love. Finally, I would like to pass on my condolences to Karen and all of Frankie's family and friends. You all know how special Frank was, and I am thankful I was able to share just a very small part of his life. I would normally say 'Rest in peace, Frankie' but I know he has taken his music with him.

Cooroy State School, Centenary

Mr WELLINGTON (Nicklin—Ind) (9.30 pm): On 1, 2 and 3 May this year the Cooroy State School celebrated 100 years of education of children and 100 years of genuine partnership with the wider Cooroy community. The weather conditions during the celebration were perfect and everyone thoroughly enjoyed themselves. I now present to the Parliamentary Library a copy of the Cooroy State School centenary book. On behalf of the school, community and visitors, I especially acknowledge and say thank you to the organising Centenary Committee consisting of President Ray Lally, Margie Wegener, Tracy Vecchio, Irene Lally, Lynda Sandford, Sheryl Hill, Desley Smith, Angela Schreiber, P&C President Wayne Schrader, Acting Principal Jenny Easey, Christina Haack, Gaye Schrader, Deb Grabham and Katrina Knoll.

I also take this opportunity to present two non-performing petitions. The first petition is prepared by John Connolly from Ebbw Vale. The petition requests an extension to reply to the draft environmental impact study for the proposed new transmission line from Woolooga to Ebbw Vale and is signed by 35 people. In presenting this petition, I understand the community has already been offered a short extension of time in which to respond to the draft environmental impact study for the proposed new transmission line. I know that the community will not sit silently by and see this proposed new powerline constructed when there are alternatives available.

I also seek leave to table a second non-performing petition signed by 201 people, prepared by Mr Les Hadlow of Blackwell Street, Woombye. This petition requests the House to ensure that the intersection of Blackwell Street and Nambour Connection Road, Woombye remains open; that there is a reduction in the speed limit to 60 kilometres per hour on the Nambour Connection Road approaches to the intersection; that traffic lights are installed at the intersection; and that fixed speed cameras are also located on the Nambour Connection Road approaching the intersection.

I take the chance to thank the Minister for Main Roads, Craig Wallace, for meeting with community representatives and me this afternoon. We discussed with him this intersection and the concerns that the community has. I thank him for inviting the committee to meet with him again once he has received a report from his department and from the Police Service. He will consult and discuss with us the contents of that report before he finalises his decision on the future of the intersection.

Leave granted.

Tabled paper: Non-conforming petition from 35 petitioners requesting an extension to respond to the draft environmental impact statement [267].

Tabled paper: Non-conforming petition from 201 petitioners regarding the intersection of Blackall Street and the Nambour Connection Road, Woombye [268].

Anzac Day Commemoration

Mrs KEECH (Albert—ALP) (9.32 pm): Honourable members will be pleased to know that the Anzac spirit is alive and well in Albert. I was fortunate to once again be invited to a large number of Anzac Day services from across my diverse electorate. In particular, I am very proud of the increasingly large number of young people participating in Anzac Day services. I had the pleasure of attending three school services held the day before Anzac Day, allowing students to pay their special respects to our men and women of the armed forces who risked and gave their lives for Australia and those who are currently serving on the front line.

Under the outstanding educational leadership of college director Ms Lee Callum, Upper Coomera State College, which is the largest school in Australia, held a moving ceremony with a special focus on the relationship between Australia and New Zealand. The school has a large number of students and staff from New Zealand, and the school's 'Karpa Haka' group presented a moving musical tribute to our friends from across the Tasman. Special thanks go to the staff, particularly Ms Lee Callum, Michael Ogier, Bryan McGarry, Kylie Furlon and the college captains—Minnie Hannaford, Clayton Couch, Marlena Walker, Dominic Bradley, Teanna-Jade Hunt and Sam Clark—for their impressive work.

The Anzac Day commemoration at St Stephen's College on Reserve Road involved a solemn reflection of the sacrifices made by prisoners of war, with a focus on their will to survive. There I was able to personally acknowledge local veterans Jack Murphy, Humphrey Firkins, Norm Kelly and John Hambridge, who have served in various conflicts including the Second World War, Vietnam and, most recently, East Timor. Thanks to the staff for the efforts they put into organising such a moving ceremony—in particular, Principal Jamie Dorrington for his dedication to learning excellence, social science teacher Carmel Stolarчук, college captain Gemma Milne-Soberanas and all the students involved.

In addition, I had the privilege to attend one of Queensland's newest schools, Coomera Springs State School, which only opened its doors to students last year. I thank Principal Mike Ennis for installing the spirit of the Anzacs in his students and ensuring that the Anzac legend lives on through traditions implemented in one of our newest state schools.

With every Anzac Day comes renewed hope that the memory of our diggers will be forever etched in young minds and that the legacy of the Anzacs and the quest for peace and freedom will live on through the next generation of Australians. Lest we forget.

The House adjourned at 9.35 pm.

ATTENDANCE

Attwood, Bates, Bleijie, Bligh, Boyle, Choi, Crandon, Cripps, Croft, Cunningham, Darling, Davis, Dempsey, Dick, Dickson, Douglas, Dowling, Elmes, Emerson, Farmer, Finn, Flegg, Foley, Fraser, Gibson, Grace, Hinchliffe, Hobbs, Hoolihan, Hopper, Horan, Jarratt, Johnson, Johnstone, Jones, Keech, Kiernan, Kilburn, Knuth, Langbroek, Lawlor, Lucas, McArdle, McLindon, Male, Malone, Menkens, Messenger, Mickel, Miller, Moorhead, Nelson-Carr, Nicholls, Nolan, O'Brien, O'Neill, Palaszczuk, Pitt, Powell, Pratt, Reeves, Rickuss, Roberts, Robinson, Ryan, Schwarten, Scott, Seeney, Shine, Simpson, Smith, Sorensen, Spence, Springborg, Stevens, Stone, Struthers, Stuckey, Sullivan, van Litsenburg, Wallace, Watt, Wellington, Wells, Wendt, Wettenhall, Wilson