



RECORD OF PROCEEDINGS

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WEDNESDAY, 10 FEBRUARY 2010

The Legislative Assembly met at 9.30 am.

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

SPEAKER'S STATEMENT

Same Question Rule and Cognate Debate

Mr SPEAKER: Order! Honourable members, I have circulated a statement in the chamber to members regarding the application of the same question rule contained in standing order 87 relating to the cognate debate of the Family (Surrogacy) Bill and the Surrogacy Bill for incorporation in the parliamentary record.

Leave granted.

On 11 November 2009, the Member for Southern Downs (Mr Springborg) introduced a Private Members' Bill, the Family (Surrogacy) Bill. On 26 November 2009, the Attorney-General and Minister for Industrial Relations (Mr Dick) introduced a Government Bill, the Surrogacy Bill.

The two Bills contain numerous identical provisions and in large part seek to achieve the same objectives, although the Surrogacy Bill contains some additional provisions. Given the similarity between the two Bills it is necessary to consider if the same question rule is enlivened and how the Bills should be proceeded with at the second reading stage.

Standing Order 87(1) provides that unless these Standing Orders otherwise provide, a question or amendment shall not be proposed which is the same as any question which, during the same session, has been resolved in the affirmative or negative.

The Queensland Parliament has made a number of rulings in relation to SO87(1) in recent years.

On 15 November 2007, Speaker Reynolds ruled that a number of amendments to be moved by the Member for Warrego (Mr Hobbs), in relation to the Local Government Amendment Bill, were out of order as the amendments were substantially the same as amendments and a Bill which had been considered earlier in the session (amendments to the Local Government Reform Implementation Bill and the Local Government (Candidates for State Elections) Amendment Bill 2007).

In making his ruling, Speaker Reynolds made a number of important points, namely that:

The matters do not have to be identical, merely the same in substance as the previous matter. In other words, it is a question of substance, not form;

There is no rule preventing the presentation of two bills on the same subject, or indeed opposite intent. However, if a decision of the House has already been taken on one bill, the other is not to be proceeded upon; and

Nor can an amendment be moved to a bill that has already been moved to another bill and defeated or is substantially the same as a bill that has been defeated.

On 15 March 2000, Speaker Hollis, after a point of order by the then Leader of the House ruled that the introduction of the Liquor (Trading Limitations on Anzac Day) Amendment Bill 2000 was out of order, as it was substantially the same as the Liquor Amendment Bill 1999 which had been previously defeated.

On 9 September 2008, Speaker Reynolds ruled in relation to two Government Bills, the Criminal Code and Other Acts Amendment Bill and the Liquor and Other Acts Amendment Bill. These Bills were, in relatively minor parts of each Bill, substantially the same as a number of clauses of two Private Members' Bills which had already been defeated in the same session. Speaker Reynolds ruled that the same question rule was not enlivened at the second reading stage. However, the rule would be enlivened during the consideration in detail stage. The Acting Leader of the House immediately following the Speaker's Ruling moved that Standing Order 87 be suspended to enable the passage of the Bills.

In essence, the Family (Surrogacy) Bill and the Surrogacy Bill are substantially the same to the extent they seek to decriminalise altruistic surrogacy and to provide a legal mechanism for transfer of parentage. The explanatory notes for both Bills cite the recommendations of the Altruistic Surrogacy Committee as reasons for the Bill. The Bills differ in the parties that would be 'eligible' to enter into a surrogacy arrangement.

The Family (Surrogacy) Bill defines 'eligible couple' to include both a married or de facto couple that is comprised of a female and a male partner, whereas the Surrogacy Bill does not provide this restriction. Therefore, as outlined in the explanatory notes to the Bill, it allows single persons, along with same-sex couples to also enter into surrogacy arrangements. Many of the clauses of both Bills are identical or substantially the same except to the extent that they refer to the 'eligible' parties.

The Surrogacy Bill contains some additional provisions in relation to amendments to the Status of Children Act 1978 which do not form part of the Family (Surrogacy) Bill.

To a large extent the Bills seek to achieve the same objective and the same Bills question rule is enlivened. Therefore, it is necessary to consider how the Bills should be proceeded with.

In relation to the two Bills presently under consideration, a decision has not yet been taken by the House and both remain on the Notice Paper ready for resumption of the second reading debate.

At yesterday's sitting the House agreed to a motion without notice to debate the Bills cognately during government business.

I am of the view that once a decision has been taken, in relation to the second reading question on one Bill, the other cannot be proceeded with further under Standing Order 87(1).

As the second reading question for the Surrogacy Bill will be put first, I would then rule that as a result of the application of the same question rule that the Family (Surrogacy) Bill cannot proceed.

Of course, under this scenario as there had been no decision taken in relation to the clauses in the Family (Surrogacy) Bill, this would enable Members to move amendments to the Government Bill that deal with matters contained in the Private Member's Bill.

Alternatively, the House could suspend Standing Order 87 to enable the second reading question to be put for both bills.

PETITIONS

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

Warra, Emergency and Police Resources

Mr Hobbs, from 150 petitioners, requesting the House to stop withdrawing emergency services from the Warra community and to appoint a permanent police officer residing in the town of Warra [[1698](#)].

Innes Park Reserve, Skate Bowl

Mr Messenger, from 293 petitioners, requesting the House to overturn Bundaberg Regional Council's decision to build a skate bowl at the Innes Park Reserve [[1699](#)].

Mareeba, Byrnes and Atherton Street Intersection

Mr O'Brien, from 208 petitioners, requesting the House to install traffic lights at the intersection of Byrnes and Atherton Streets, Mareeba [[1700](#)].

Torres Strait and Weipa, QantasLink Services

Mr O'Brien, from 86 petitioners, requesting the House to reverse the cuts in airline services and increases in fares by QantasLink to the Torres Strait and Weipa [[1701](#)].

Cleveland-Redland Bay and Ziegenfusz Road, Intersection

Mr Dowling, from 326 petitioners, requesting the House to upgrade the Cleveland-Redland Bay—Ziegenfusz Road intersection [[1702](#)].

Mackenzie to Carindale Shopping Centre Public Transport

Mr Nicholls, from 341 petitioners, requesting the House to reconsider TransLink's decision that it is not viable to provide bus services between Mackenzie and Carindale shopping centre [[1703](#)].

Bribie Island, Desalination Plant

Mrs Sullivan, from 1,013 petitioners, requesting the House to ensure that Bribie Island is removed permanently from the list of potential Desalination Plant sites in Queensland [[1704](#)].

Blackbutt, Speed Limit

Mrs Pratt, from 395 petitioners, requesting the House to lower the speed limit from 60 kph to 40 kph through the centre of Blackbutt and other surrounding townships [[1705](#)].

Agnes Water, State Secondary School

Mr Messenger, from 215 petitioners, requesting the House to establish a State Secondary School in Agnes Water [[1706](#)].

Petitions received.

TABLED PAPER

MEMBER'S PAPER TABLED BY THE CLERK

The following member's paper was tabled by the Clerk—

Member for Ferny Grove (Mr Wilson)—

[1707](#) Non-conforming petition relating to possible changes to regulations as part of reforms in the early childhood education and care sector

MINISTERIAL PAPERS

The following ministerial papers were tabled—

Minister for Climate Change and Sustainability (Ms Jones)—

[1708](#) Proposal under the Forestry Act 1959 and a brief explanation of the proposal

[1709](#) Map showing areas proposed for revocation from Beerwah State Forest for Australia Zoo

NOTICE OF MOTION

Revocation of State Forest Areas

Hon. KJ JONES (Ashgrove—ALP) (Minister for Climate Change and Sustainability) (9.33 am): I give notice that, after the expiration of at least 14 days, as provided in the Forestry Act 1959, I shall move—

- 1) That this House requests the Governor in Council to revoke by regulation under section 26 of the Forestry Act 1959 the setting apart and declaration as State Forest of the area as set out in the Proposal tabled by me in the House today, viz

Description of area to be revoked

Beerwah State Forest (SF561)	Areas described as Lot 301 on SP222984 and containing an area of 114.6 hectares as shown on the attached sketch.
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- 2) That Mr Speaker and the Clerk of the Parliament forward a copy of this resolution to the Minister for Climate Change and Sustainability for submission to the Governor in Council.

MINISTERIAL STATEMENTS

Tree Clearing

Hon. AM BLIGH (South Brisbane—ALP) (Premier and Minister for the Arts) (9.34 am): Queensland's landmark laws to ban broadscale clearing are beginning to prove their long-term value and importance to our state. The latest figures in the annual Statewide Land Cover and Trees Study of 2007-08 show a 48 per cent decrease in tree clearing state-wide. In simple terms what that means is that our tree-clearing laws are working. The tree-clearing laws that we proposed, that we put in place and that were opposed by those opposite are working to protect Queensland's vegetation.

Mr Hobbs: You've got no idea.

Ms BLIGH: This report covers the first full annual period of the SLATS analysis since the government—

Mr Hobbs: You've got no idea what you're talking about. You and your DC10 or whatever you want to call it.

Mr Lucas: That's it; you got it. The good news is you're on the front bench and he's on the backbench.

Ms BLIGH: Mr Speaker, there are some on the other side who even in the face of clear evidence refuse to accept the importance of this program.

Mr Hinchliffe: Lord Monckton over there.

Ms BLIGH: Lord Monckton of Warrego. The report covers the first full annual period of SLATS analysis—

Opposition members interjected.

Ms BLIGH: You really would think, Mr Speaker, that those people who represent rural electorates would have an interest in what this data shows.

A government member: They hate trees.

Ms BLIGH: They hate trees, Mr Speaker.

Mr Hobbs: You've got no idea about trees.

Ms BLIGH: Long may he reign, Mr Speaker.

Honourable members interjected.

Ms BLIGH: Okay, Mr Speaker, I think there has been enough of that.

Mr SPEAKER: Yes, I agree.

Ms BLIGH: The report covers the first full annual period of SLATS analysis since the government introduced laws to end broadscale clearing of vegetation by 31 December 2006. Clearing rates across the state have fallen by 48 per cent from a rate of 235,000 hectares per year in 2006-07 to 123,000 hectares per year in 2007-08. That constitutes a sixfold decrease in clearing rates compared to the

figures in 1988 and equates to a significant improvement in greenhouse gas emissions. For the first time, the government has also released a supplementary report evaluating the success of the vegetation management framework.

The government's 2003 commitment to end broadscale clearing included an undertaking to reduce greenhouse gas emissions from clearing by 20 to 25 megatonnes per year. The rate of emissions in this supplementary report shows a reduction of more than 36 megatonnes per year compared to rates when the commitment was made. Not only did we say we would implement these laws; we targeted a reduction of up to 25 megatonnes of greenhouse gas. We have not only met that target but also superseded it and reached a 36-megatonne reduction.

Mr Messenger interjected.

Mr FRASER: It's hard to hear you back there.

A government member: Who was that?

A government member: The ghost of Christmas past.

Ms BLIGH: I think there are many more Christmases from that corner.

A government member: The gift that keeps on giving.

Ms BLIGH: He is the gift that keeps on giving.

Obviously this contributes greatly to the government's Q2 targets to reduce carbon emissions and protect land for nature conservation. The SLATS report shows that the majority of land clearing appears to be routine, legally exempt vegetation management activities including clearing for fire breaks, fencing, roads and infrastructure and permitted activities such as fodder harvesting. However, the analysis does show a rate of about 12,500 hectares per year of unexplained clearing in that period which will be the subject of further investigation by the department of natural resources. Depending on the severity of the offence, the department will respond to cases of illegal clearing with a range of penalties and actions such as warning letters, orders of restoration of vegetation through to court prosecutions.

Since 1 January 2007, 26 vegetation clearing prosecutions have been commenced. Of those, 13 have already led to prosecutions and 12 are still underway. The highest fine awarded so far for a vegetation clearing prosecution was \$100,000.

Mr Hobbs interjected.

Ms BLIGH: We are very serious about this issue.

Honourable members interjected.

Mr SPEAKER: Order! Premier, resume your seat. I will wait for the House to come to order.

Ms BLIGH: It seems that those opposite have learned nothing from the last five years in relation to the importance of protecting vegetation in Queensland. Having introduced these laws in the face of considerable opposition, most of it led by those opposite, it is important that we now police them stringently, and that is what we intend to do. The report that has been outlined today will become an annual gauge of the effectiveness of these laws. The report is available on the Department of Environment and Resource Management website. I recommend it to those people who have even a passing interest in the preservation and protection of Queensland's environment. I certainly recommend it to those who purport to represent rural electorates.

Queensland, Arts and Culture

Hon. AM BLIGH (South Brisbane—ALP) (Premier and Minister for the Arts) (9.40 am): Last month the *Australian's* national arts writer Michaela Boland described Queensland as 'a beacon for arts'. The truth is that Queensland has been receiving national and international recognition such as this for some time now. Such praise for our artistic community is a far cry from the days when our state was ridiculed as a cultural backwater.

In the regions, the internationally acclaimed Australian Festival of Chamber Music in Townsville is enjoyed by more than 10,000 people. I know the local members for the Townsville region understand how important this local festival is and what great quality musicians it attracts. Last year attendances increased by 22 per cent with many performances sold out. Townsville is a cultural beacon in North Queensland.

In Cairns, the inaugural Indigenous Art Fair was attended by 10,000 residents and visitors and has done Queensland proud on the national stage. Here in our capital city, South Bank has been a vibrant focus with QPAC defying global trends and starting the year with record sales. Over 60,000 people attended in January with two sell-out shows. Our major companies are going from strength to strength.

Of course the Queensland Art Gallery has played a huge part in changing people's minds about Queensland's cultural life. Since the opening of GoMA just three years ago attendances have trebled from 325,000 in 2005-06 to 1.15 million in the last financial year. The gallery's touring exhibitions in regional Queensland have experienced similar increases and venue numbers have doubled.

New visitors have been drawn to our galleries in unprecedented numbers because of a challenging and inspiring program of exhibitions. A staggering 35 per cent of the visitors to the Andy Warhol exhibition were visiting our gallery for the first time and 26 per cent of the visitors to the American Impressionists were also first time visitors.

The gallery is now a familiar and welcoming space for a whole new generation and they have made great efforts to engage children with parallel programs that accompany each major exhibition. For example, an impressive 31,000 young minds participated in the American Impressionist exhibition. The Up Late program packs out the precinct at night and the blockbuster exclusive exhibitions have ensured a stream of visitors every day.

As with any program to galvanise and challenge a new audience, some exhibitions are more successful than others. Over the last three years ticketed blockbusters have broken records. Some 232,000 people attended the Andy Warhol exhibition and 206,000 people turned up to see Picasso's collection. Each of these were profitable, contributing more than \$1 million in total that has subsequently subsidised further exhibitions.

Last year during the height of the GFC, the very beautiful American Impressionist and Realist show from the New York Met averaged 1,000 visitors a day, which unfortunately was below the 1,600 visitors projected. Despite strong sponsor support for the exhibition which cost \$4.4 million to stage, the exhibition sustained a \$1.1 million loss, which was shared equally between the gallery and its partner, Art Exhibitions Australia. But nearly \$27 million has been generated by these blockbusters for the Queensland economy and some 131,000 interstate visitors have been drawn here for these exhibitions.

By comparison, the projected net cost of the current free Asia Pacific Triennial of Contemporary Art, of which my government is a major sponsor, will be just over \$2 million with a total cost of around \$4 million. APT6 is a flagship for Queensland—the only exhibition in the world bringing together contemporary art from Asia, the Pacific and Australia.

The cultural revolution does not stop here. This year the state will host the only exhibition of the work of the great fashion icon Valentino, the Valentino Retrospective, later this year. The success of our gallery in Queensland is a great story—one that all Queenslanders can be very proud of.

Computers for Teachers Initiative

Hon. AM BLIGH (South Brisbane—ALP) (Premier and Minister for the Arts) (9.44 am): By the end of March we will meet a very important milestone. Every permanent teacher who works two or more days a week in a Queensland state school or TAFE institute will have received a laptop through the Queensland government's Computers for Teachers initiative. Right now more than 40,000 teachers already have this tool of the trade that they need in today's digital world.

In July 2007 we announced a four-year deadline and a \$70 million budget. I am very pleased to report to the House today that we have not only met that deadline but are more than 12 months ahead of schedule. I congratulate the Department of Education and Training and the minister for not only delivering this program 12 months ahead of schedule but also, importantly, delivering it on budget. This is another example of a government delivering for the people of Queensland.

This laptop rollout is changing the way our teachers think about teaching, and the way that they teach. For example, rather than just reaching for a novel, teachers are now also connecting their students to the people who wrote these books through blogs and online discussion with authors.

We recognise that technology is something new for many teachers so a key part of the program has been about professional development. Our aim is to help teachers advance their ICT skills so they can plug their teaching into the digital world. Professional development is helping all of our teachers, especially those working in our high schools who are engaging with students using school owned computers through the Australian government's National Secondary School Computer Fund.

We funded this initiative following a successful trial in 2006, where the Office of the Government Statistician identified significant and quantifiable positive impacts on teachers' skill levels and on teaching and learning. Now the state-wide rollout is complete, this is a permanent feature of Queensland classrooms. We have begun the task of replacing computers that are nearing the end of their life. The first 12,000 laptops issued are now scheduled for replacement during the 2010 year. This is a constantly rolling program to ensure our teachers have state-of-the-art equipment and are up there with the best in the world. Refreshing the laptop fleet helps our teachers keep their digital practices up with the latest technological changes. The government will continue to invest \$20 million each year in this ongoing program making sure our teachers are connected to the world.

Swine Flu, Vaccinations

Hon. PT LUCAS (Lytton—ALP) (Deputy Premier and Minister for Health) (9.47 am): We know that giving our kids a good start in life means not only giving their minds the best start but also their bodies. Healthy kids are active, engaged, successful kids. Sadly, there are some things we just cannot protect our kids from, no matter how hard we try. But that is where, if through medical science means we can protect them, especially from things like vaccine preventable diseases, we owe it to our kids to do so.

For a while now we have been warned about a second wave of swine flu hitting our shores. Many countries in the Northern Hemisphere have this winter flu season suffered a second wave of the pandemic. Their experience in terms of illnesses, hospitalisations and deaths has been similar to ours last year. The World Health Organisation has now reported nearly 15,000 deaths from this disease.

Expert advice from world and national health authorities is that a second wave of the pandemic is likely to occur in Australia and that it will appear in April or May this year. The experts also advise that we need to focus on vaccinating children and adolescents because they are the group that spread influenza throughout the community most rapidly. Additionally, young children under five years of age had the highest rate of hospitalisation of all age groups due to pandemic H1N1 influenza.

During the first wave of the pandemic last year, nearly 12,000 Queenslanders were confirmed with the disease, over 1,200 people were hospitalised and 163 were admitted to intensive care. Sadly, 41 Queenslanders died, many of them in vulnerable groups but some 30 per cent with no known risk factors.

In September 2009, the vaccine Panvax H1N1 was registered for use in people aged 10 years and over. In December approval was extended to give the vaccine to everyone above the age of six months. This vaccine has been shown to be safe and effective in both adults and children. Over 550,000 Queenslanders are now reported to have received the vaccine—that is some 13 per cent of the state's population—myself included. But that means some 87 per cent of the state's population has not.

With schools now returned for the year, there is a great opportunity to redouble our efforts to vaccinate both children and their families. That is why I am pleased to announce Queensland will roll out a program of school vaccination clinics which will offer Panvax H1N1 to schoolchildren, their families and any other member of the public who wishes to be vaccinated.

After a great deal of planning and discussion with Education about the best means of delivering the vaccine, it was decided that clinics will be held in each Queensland state high school on dates to be advised. The clinics will operate on a Saturday or Sunday and the vaccine will be available not only to all Queensland schoolchildren but to all members of their families as well. Parents of children in Queensland schools will soon receive a letter from the Chief Health Officer providing advice about the vaccination and giving details of the clinics that will be held in high schools in their area. Information on clinics will also be available from schools, child-care centres and the Queensland Health call centre, 13HEALTH, when details have been finalised. The first clinics will start from 27 February and will be completed by the end of term 1. The impact of a second wave can be greatly reduced if Queenslanders are vaccinated. I urge all Queensland families to take advantage of this opportunity to get vaccinated. Of course, this program is in addition to the established vaccination programs that we have in relation to H1N1, particularly for people at risk and through our public hospital system.

Wide Bay-Burnett Regional Plan

Hon. AP FRASER (Mount Coot-tha—ALP) (Treasurer and Minister for Employment and Economic Development) (9.50 am): While people continue to move to Queensland in droves, the Wide Bay region is showing its appeal to new residents. After South-East Queensland, this diverse region is predicted to have the most growth. In fact, it is expected to grow by some 131,000 people by 2031, making it the largest growing area in regional Queensland. That is why we are developing a statutory regional plan that will keep more than 98 per cent of the region safe from urban sprawl and rural residential development. The plan will guide the growth that is forecast. The footprint of this plan—the second ever statutory regional plan outside the south-east corner—incorporates natural wonders like the Great Barrier Reef and Fraser Island, as well as the Bunya Mountains and Cania Gorge. The draft will be released later this year, with the final plan due in the first half of 2011. As the minister responsible for delivering the plan, I am committed to ensuring that we maintain the current liveability of the region and strike the balance between population growth and sustainability.

In line with previous statutory regional planning processes, to ensure that no development occurs in off-limit areas while the plan is under development, we have released interim regulatory provisions based on councils' existing local government planning schemes. The draft state planning regulatory provisions are currently out for public consultation until 31 March, with public meetings being held in Bundaberg, on the Fraser Coast, in Gympie and in the south and north Burnett regions. We want residents to tell us what sort of balance they want between new jobs, tourism and economic growth and the protection of important agricultural land and environmentally sensitive areas.

Councils in the Wide Bay-Burnett region are already assessing applications outside the designated urban areas that could potentially house more than 33,000 people. Without overarching guidance, these developments in non-urban areas have the potential to threaten orderly development and the sustainability of the region and place enormous economic pressure on individual councils and on governments. They do not readily link to existing infrastructure or to community necessities like accommodation, education, health, community and social services. Having a statutory regional plan for this diverse area will ensure that growth occurs in an orderly fashion in the proper places. It is worth noting that Queensland is the only state to implement statutory regional plans outside of a major capital city. The Wide Bay-Burnett Regional Plan will plan the area's future growth without compromising its unique green open spaces.

Police Service, Misconduct Allegations

Hon. NS ROBERTS (Nudgee—ALP) (Minister for Police, Corrective Services and Emergency Services) (9.52 am): Recently there has been significant media coverage of allegations of serious misconduct involving members of the Queensland Police Service, particularly in the Gold Coast police district. These allegations are serious and concerning and must be fully investigated, and that is exactly what the Crime and Misconduct Commission is doing with the assistance of the Queensland Police Service's Ethical Standards Command. The Bligh government fully supports the work of these two agencies in detecting and exposing any officers who engage in inappropriate or illegal conduct. The CMC was created by the Labor government to ensure the Queensland Police Service never returned to the dark days of the pre-Fitzgerald era.

There have been a number of calls for a separate public inquiry into these matters. The CMC is effectively a standing royal commission with all the powers it needs to comprehensively investigate these allegations. Decisions on whether the investigations need to be widened, including the need for public hearings, are entirely a matter for the CMC. I note that in a media statement last week the CMC said that speculation about the scope of its investigation risks 'hindering the investigation and unnecessarily undermines public confidence in the Queensland Police Service'. Further, the CMC said that on the basis of current evidence some aspects of the recent media reports about the investigation were 'exaggerated or simply inaccurate'. For this reason, it is important to get all the evidence on the table and resolve this matter as soon as possible.

There has also been public discussion and commentary about the Queensland Police Service's internal disciplinary processes. It is my view that some matters are taking too long to resolve. The delays have the potential to not only undermine public confidence in our police but also negatively impact on individual officer's careers. That is why the government tasked the CMC to undertake a comprehensive review of the Queensland Police Service's internal disciplinary processes, with a reporting deadline of 30 June. It is my hope that this review will result in a more streamlined disciplinary process and swifter justice.

There is no place for inappropriate or illegal behaviour in the Queensland Police Service. It is simply unacceptable. I firmly believe that the Queensland Police Service of today is vastly different to the police force from the bad old days of the pre-Fitzgerald era when widespread corruption and illegal activity was rife. Resolving these allegations quickly will allow the more than 10,000 decent, honest and hardworking police officers to get on with the job of protecting the people of Queensland.

Last week there was considerable discussion about two highly confidential CMC projects which examined complaints against police on the Gold Coast. Project Castella and Project Grinspoon examined these complaints and made a number of recommendations to the Queensland Police Service. In the interests of public disclosure, the Police Commissioner sought and received the approval of the CMC to publicly release the 36 recommendations made by Project Grinspoon, and I seek leave to table a document listing the recommendations and the QPS response.

Leave granted.

Tabled paper: Summary of progress on recommendations—Project Grinspoon, Enhancing Integrity in the Queensland Police Service: Recommendations arising from a strategic assessment of police misconduct [1710].

Mr ROBERTS: Most of the recommendations deal with internal police processes such as education and training, human resource issues, administrative processes and alcohol and drug testing policies. Of the 36 recommendations, 35 are supported by the Queensland Police Service, with one currently under consideration. Fifteen of the recommendations have been implemented and 20 are in the process of being implemented. The Police Service has come a long way since the Fitzgerald report was handed down in 1989. Around one-quarter of complaints about misconduct and inappropriate behaviour in the ranks are now made by serving police officers. This would never have happened in the pre-Fitzgerald era. We must continue to remain vigilant to prevent ethical slippage and to maintain public confidence in our Police Service, and the Queensland Police Service and the CMC have the government's full support in seeking to achieve this objective.

Schools, Infrastructure

Hon. GJ WILSON (Ferny Grove—ALP) (Minister for Education and Training) (9.57 am): The start of the 2010 school year saw around 730,000 students enrolled in Queensland schools. Queensland's population is growing every year and we are seeing increases in the number of students attending state, Catholic and independent schools. Around 487,000 students returned to our state schools from 28 January, including primary, secondary and special schools. A further 242,000 students are attending Queensland Catholic schools and independent schools. I would especially like to welcome those students just beginning their education journey—that is, the 57,000 prep students who walked through the school gates for the first time this year. Around 40,000 of them took their first steps into a state school, with 17,000 attending non-state schools.

The Bligh government is planning and building for this growth. Two new schools, two relocated schools and one amalgamated school have opened their doors this year. We are building world-class buildings and facilities, and we are building a world-class education system. Last week I joined the Premier and the Deputy Premier at the official opening of the Brisbane Bayside State College which was part of the \$150 million State Schools of Tomorrow initiative to upgrade state schools in the Brisbane Wynnum-Manly area. The construction of the Brisbane Bayside State College created more than 380 jobs. Of course, those on the other side of this chamber wanted to abolish the State Schools of Tomorrow building program at the last election. It was great to see the staff and students enjoying the fantastic facilities at this new school.

In coming weeks we will also be heading to the Bay View State School at Thornlands, another school with fantastic ecofriendly facilities in one of Brisbane's fastest growing areas. A new school at Peregrin Springs on the Sunshine Coast has also opened its doors for the first time in 2010. The Bay View State School and the Peregrin Springs State School are the first two schools to be built as part of the Bligh government's \$1.1 billion partnership with Aspire to build seven schools, with the next five schools to be delivered over the next three years.

This public-private partnership project will create 2,150 jobs in the construction industry over the 4½ year period of construction. Both of these schools are four-star green rated and offer cutting-edge facilities, including high-tech classrooms fitted with wireless networks. The other schools that opened their doors for the start of the school year were the relocated Amberley District State School and Innisfail State College, which was the amalgamation of Innisfail State High School and the Innisfail Inclusive Education Centre with the Tropical North Queensland Institute of TAFE on the former TAFE site—another State Schools of Tomorrow project opposed by those on the other side. The construction of Amberley District State School created approximately 196 jobs and the construction of Innisfail State College created approximately 276 jobs. In total, more than 300 new classrooms were provided across Queensland to accommodate growth in 2010.

We are also renewing and refurbishing Queensland's older schools under the State Schools of Tomorrow project that I referred to earlier. Round 2 of the initiative, due for completion in June 2011, will see the refurbishment of selected facilities at more than 300 primary, secondary and special schools. We have joined with the federal government in making a \$2 billion investment in education infrastructure this year. We want to give students and teachers access to top-quality, modern teaching and learning environments with cutting-edge technology. The Bligh government is spending more than \$10 million a day on school building projects. This level of development in our schools is unparalleled and unlikely to be witnessed again in our lifetimes. Some tough decisions have had to be made to ensure that we can keep building and modernising schools, but we know that investing in education is an investment in Queensland's future.

Tourism

Hon. PJ LAWLOR (Southport—ALP) (Minister for Tourism and Fair Trading) (10.01 am): It is no secret that the tourism industry has gone through some tough times of late and that we need to do all we can to encourage visitors to come and experience Queensland. Last year, we launched the highly successful 'Hey, hey this is Queensland' campaign domestically. This week, for the first time we are taking those images offshore, with a \$400,000 international tourism marketing campaign encouraging Kiwis to cross the 'ditch' to find their best holiday in the world in Queensland.

The major international TV, radio, print, online and outdoor campaign is a joint initiative of Tourism Queensland in partnership with Jetstar to tempt New Zealanders with a range of diverse Queensland holiday experiences. The campaign tag line 'Find yourself the best holiday in the world' is an open invitation for Kiwis to rediscover Queensland or visit parts of the state they have never visited before. More than 400,000 Kiwis visited Queensland in the year ending September 2009 and spent approximately \$537 million on trips to the state. Jetstar is the perfect campaign partner, currently operating 16 flights from New Zealand to Queensland each week, which equates to approximately 2,800 seats and potential visitors to Queensland.

The campaign will advertise images of Queensland as a whole, with deals through Jetstar primarily focused on southern Queensland as the main international gateway from New Zealand. New Zealanders will then be able to easily transfer to other destinations throughout the state. Almost a million New Zealanders would be exposed to the campaign several times during the four-week campaign.

The 'Find yourself the best holiday in the world' campaign will feature prominently on New Zealand's national television channels, in ad placements in a variety of newspapers, as well as on radio, online and outdoor advertising. New Zealand has been identified as a market with good growth potential as part of the Tourism Action Plan to 2012, and it is also, of course, Australia's—and Queensland's—largest source of international tourists. The plan guides Queensland's tourism strategy with the aim of driving more visitors from around the world to Queensland.

Indian Students

Hon. A PALASZCZUK (Inala—ALP) (Minister for Disability Services and Multicultural Affairs) (10.03 am): Queensland is home to more than 20,000 Indian students and the Bligh government values their contribution to the state. They make a tremendous contribution to Queensland's cultural, social and economic life. In November 2009, there were 20,700 international students from India enrolled in Queensland. We want to ensure that the state retains its reputation as a desirable destination for international students. While there have been some recent incidents in Queensland involving Indian students, they have not been on the same scale as those that have occurred in other states, especially Victoria.

Queensland has been on the front foot when it comes to supporting its Indian community. Last month I attended a meeting called by Indian community leaders, which was also attended by the Indian high commissioner, Sujatha Singh, and Police Commissioner Bob Atkinson. At this meeting I was pleased to announce the appointment of Umesh Chandra as liaison officer between the Queensland government and Queensland's Indian community. Mr Chandra is a well-respected figure in the local Indian community. He is president of the Global Organisation of People of Indian Origin, publisher of the *Brisbane Indian Times* and vice-president of the Federation of Indian Communities in Queensland. Mr Chandra will play a key role in our engagement strategy with Indian students. The government accepted the recommendation of the Indian Honorary Consul of Queensland, Professor Sarva-Daman Singh, about Mr Chandra's appointment. His appointment forms part of a whole-of-government effort to support local Indian students and to ensure that they feel safe and welcome in Queensland.

We will be holding a third Indian community round table next month here at Parliament House, following the two round tables that we held last year. I will also be visiting university campuses during upcoming O Week, where Multicultural Affairs Queensland staff will be on hand to provide information and support to Indian students. The education minister will continue in his efforts to support local Indian students while the Queensland Police Service will be giving international students important personal safety messages. The Bligh government is getting right behind the state's Indian community. Queensland is a safe and welcoming place for students from all backgrounds and we want to keep it that way.

Strategic Cropping Land

Hon. SJ HINCHLIFFE (Stafford—ALP) (Minister for Infrastructure and Planning) (10.05 am): Everyone in this House would be aware of the commentary and debate in recent times regarding the tension between resource and agricultural development, particularly in some areas of southern Queensland. Even at the last election the now Deputy Leader of the Opposition thought that it would be advantageous to selectively pick one area in southern Queensland in which he promised to ban mining without any rhyme or reason.

The Bligh government has taken a different approach, whereby we have talked to people, we have listened to communities, we have considered the agricultural and the resource perspectives and we have developed a better way—a better way not based on base electoral politics but on sound data and reasoned thinking.

Opposition members interjected.

Mr HINCHLIFFE: They clearly do not want to hear about what is important for rural communities. The Bligh government has moved to protect the state's most important food-growing land from mining and urban and other incompatible development with the release of the strategic cropping land draft discussion paper today. The paper is designed to propose a system to conserve and manage Queensland's key food-producing land for the long term and provide increased clarity for agricultural, mining and urban sectors regarding the government's expectations for strategic cropping land. The initiative sets out a planning framework for the protection of important food-growing land and seeks comment from all interested stakeholders. For example, I am sure the Haystack Road and Felton communities of the Darling Downs will want to have their say and help develop the framework further. This feedback will help identify land areas with the best soil, climate, water supply and infrastructure.

The proposed framework ensures that mining, urban or other development that permanently alienates the land or reduces its productivity cannot occur unless it is overwhelmingly in the public interest. Not only is cropping land scarce, but the soils that make it productive are a finite resource that have taken millions of years to develop. These finite and extremely valuable resources must be conserved and managed.

The resources sector is also invaluable. In the last financial year alone Queensland's mining royalties totalled \$1.5 billion. In order for these sectors to co-exist we must have policy and planning tools in place that manage potential land use conflict and provide mutually beneficial outcomes to both sectors. Implementation of the proposed system will involve refining criteria for defining and mapping the state's strategic cropping land, amending relevant legislation to ensure that strategic cropping land is taken into account in the assessment of resource developments and developing guidelines for the assessment of proposed developments that may permanently alienate areas of strategic cropping land. The discussion paper will be available online today and open to public submissions until 12 March.

Tree Clearing

Hon. S ROBERTSON (Stretton—ALP) (Minister for Natural Resources, Mines and Energy and Minister for Trade) (10.10 am): Today we have witnessed a great result from the state government's 2004 election commitment to end broadscale tree clearing. Before that commitment was made up to 750,000 hectares of woody vegetation was being cleared annually. In 2006 this Labor government recorded an environmental achievement of world significance when broadscale clearing of native vegetation ended in this state.

With the introduction of this clearing ban Queensland created some of the strongest protections for remnant native vegetation in the country without any assistance from the then Howard government, including the tree hugging Tony Abbott. This was despite the fact that the impact of our tree clearing reforms was to deliver the Howard government a massive reduction in greenhouse gas emissions to such an extent that had Australia been a signatory to the Kyoto protocol it would have met its emission reductions targets—something that was acknowledged and trumpeted by John Howard at the time.

We continue to build on these reforms. The first election commitment implemented last year was a moratorium on the clearing of endangered regrowth vegetation. That moratorium gave the government the chance to finalise the longer-term arrangements to protect high-value regrowth and ensured landholders had the means to continue to manage vegetation on their properties. This legislation affected more than one million hectares, including all native vegetation within 50 metres of a watercourse in the priority reef catchments of Mackay-Whitsunday, Burdekin and Wet Tropics catchments and endangered regrowth vegetation on freehold and leasehold land.

As witnessed today, despite the opposition of the LNP, these vegetation management laws are working. What a great result they have had. As well as protecting against broadscale land clearing these laws continue to significantly reduce greenhouse gas emissions in Australia.

Opposition members interjected.

Mr ROBERTSON: Listen to those opposite bleat. Those opposite hate this reform; they hate reducing greenhouse gas emissions. Where was the Liberal Party? Remember when the Liberal Party opposed tree clearing? Remember when it supported us? Where is it now? Nowhere to be seen. The takeover by the National Party is absolutely complete. In 2003 the Queensland government committed to reducing greenhouse gas emissions by 20 to 25 million tonnes a year as a result of tree clearing. Today we have exceeded that mark by achieving a reduction of more than 36 million tonnes per year compared to when that commitment was made. That means that greenhouse gas emissions from land clearing have declined from over 60 million tonnes per year to 24 million tonnes in 2007-08, a 60 per cent reduction and a massive 75 per cent reduction from the peak of nearly 100 million tonnes of emissions in 1999-2000.

The ban on broadscale clearing supports the Queensland government's vision of *Toward Q2: Tomorrow's Queensland* to achieve a 60 per cent reduction in national greenhouse gas emissions by 2050. Contributing to this overall drop in tree clearing state-wide are our promising regional results. Between 2006-07 and 2007-08 remnant woody vegetation clearing dropped by 87 per cent within the desert channels natural resource management region, which includes the towns of Winton, Longreach and Windorah. The region's vegetation clearing rate of 7,382 hectares per year is the lowest measured rate since satellite monitoring began.

Other regional areas to fare well in reducing rates of tree clearing include the southern gulf area, North Queensland, Fitzroy and northern gulf regions which all recorded reductions in vegetation clearing of over 50 per cent. Clearly, these laws are working and going a long way to make tomorrow's Queensland a better Queensland.

Roadworkers, Safety

Hon. CA WALLACE (Thuringowa—ALP) (Minister for Main Roads) (10.13 am): Every Queenslanders deserves to get home safely from their workplace. That is why I wish to announce a new initiative by the Bligh government to improve the safety of roadworkers on Queensland roads. In a recent report the safety of road traffic controllers and their working conditions were raised by Commissioner Brown, the Queensland Workplace Rights Ombudsman. We have been working together with the Traffic Management Association of Queensland and the Australian Workers Union to produce a solution to build and sustain a stronger industry. That is why I am pleased to announce that the Department of Transport and Main Roads is introducing a registration system for all traffic management companies working on state controlled roads. This will improve safety and ensure consistency within the traffic management industry.

The Traffic Management Association of Queensland estimates there are about 100 traffic management companies in Queensland, with approximately 27,000 licensed traffic controllers. This registration system is for traffic management companies and is in addition to the existing requirements for individual traffic controllers to be licensed. This new system will require traffic management companies to demonstrate safety, quality and consistency within their organisational processes. It will also focus on factors including financial stability, occupational health and safety, industrial relations and appropriate training of the workforce. Traffic management companies will be regularly audited by the department and may be deregistered if they are performing poorly.

At this point, the department's registration system will only apply to work done on state controlled roads. While this registration system does not cover work done on local government roads, I will strongly encourage local authorities to use these registered traffic management companies. Implementation of the registration system will begin immediately. I expect the traffic control industry will respond positively to this initiative and my department is seeking its support and assistance in formulating the scheme. By early 2011, only registered traffic management companies will be permitted to work on state controlled roads.

Safety around roadworks is of the utmost importance for my department. This initiative will ensure the highest standards are met on our roadwork sites and, importantly, ensure roadworkers and motorists get home to their loved ones at the end of the day.

Seagrass

Hon. TS MULHERIN (Mackay—ALP) (Minister for Primary Industries, Fisheries and Rural and Regional Queensland) (10.15 am): Seagrasses are disappearing globally at a rate of 110 square kilometres per year. This is being caused by coastal development, water quality degradation and sediment run-off. Thankfully, Queensland seagrasses have not followed the worldwide trend. In 1998 Fisheries Queensland implemented the Seagrass Watch program which maps and monitors seagrass meadows. So far almost 20,000 square kilometres of the state's seagrass meadows have been mapped, which equates to more than 11 per cent of the world's mapped seagrasses.

Our Seagrass Watch program is so successful that it has been adopted by more than 25 countries with more than 270 sites worldwide now being monitored. This information is fed into a global network and reviewed for growth or decline and serves as an early warning system. These countries recognise the value of seagrass, and they are following Queensland's lead. Seagrasses protect coastlines from erosion and filter toxic materials before they reach coral reefs. They provide a nursery and shelter for species of fish and shellfish and are crucial to recreational and commercial fisheries. It is estimated the global value of seagrasses is US\$1.9 trillion per year.

To further protect seagrass, new environmentally friendly moorings are being trialled in Moreton Bay. If successful, traditional block and tackle anchors may become a thing of the past. Block and tackle anchors can scour the sea floor ripping out seagrass, algae and other marine plants as the boat moves with the tide and the waves. This can affect populations of fish, prawns, turtles and dugong. The Bligh government is trialling three types of environmentally friendly moorings. Each mooring uses either flotation, elastic rope and/or a moveable arm to keep the chain off the seabed at all stages of the tide allowing seagrasses and other marine plants to live and grow uninhibited.

This project recognises the ecological and economical importance of Moreton Bay, which generates about \$33 million per annum in commercial fishing production. The trial will be conducted for two years in sensitive seagrass areas in Moreton Bay. If the trial is successful it may be expanded to other parts of Queensland.

Aboriginal and Torres Strait Islander Justice Agreement

Hon. D BOYLE (Cairns—ALP) (Minister for Local Government and Aboriginal and Torres Strait Islander Partnerships) (10.18 am): The Bligh government is committed to addressing the overrepresentation of Aboriginal and Torres Strait Islanders in Queensland in contact with the criminal justice system. Aboriginal and Torres Strait Islander people are close to 13 times more likely to be

imprisoned than non-Indigenous people. It was because of the disproportionate number of Indigenous people in the justice system and because of the tragic number of deaths in custody that the state and federal governments took action. The Aboriginal and Torres Strait Islander Justice Agreement came into effect nearly 10 years ago with the primary aim of reducing the rate of Indigenous people coming into contact with the criminal justice system.

It is almost 10 years since that agreement was signed and Aboriginal and Torres Strait Islander people are still over-represented in our prisons, in the number of child protection orders and as victims of family violence. A number of innovative programs introduced as part of the justice agreement are having a positive effect, but far more needs to be done. The 2008 ABS prisoner data shows that, compared to other Australian jurisdictions, the rate of incarceration of Indigenous people in Queensland is lower than the national average and lower than that of Western Australia, South Australia, the Northern Territory and New South Wales. Nonetheless, it is still too high.

Today I pay tribute to the advocacy organisations that have been working with government to address this issue, including Australians for Native Title and Reconciliation, ANTaR President Kitty Carra in particular, and the Aboriginal and Torres Strait Islander Legal Service and its committed staff from the north to the south of the state of Queensland. With less than a year left of the current justice agreement, the Queensland government has begun work on a new strategy that will align the Closing the Gap program and the National Indigenous Law and Justice Framework. It will take into account improvements achieved and primarily focus on what remains to be done. The Bligh government continues to work hard on both the immediate and long-term actions to address the over-representation of Indigenous people in the justice system.

TravelSmart Sunshine Coast Communities Project

Hon. RG NOLAN (Ipswich—ALP) (Minister for Transport) (10.21 am): While the conservative parties continue to claim that climate change is not a problem, the Bligh government is implementing policies to reduce congestion and greenhouse gas emissions in South-East Queensland. We are doing that in a number of ways: through building major infrastructure projects like new railways, busways and cycleways; by rolling out new buses, trains and ferries; and by actively seeking to change the way people choose to travel.

As part of our commitment, today I am pleased to announce the start of the TravelSmart Sunshine Coast communities project. The project forms part of the government's \$22.6 million TravelSmart Communities program that encourages participants to consider sustainable travel options. It includes 72,000 households from Pelican Waters to Noosa Heads, out to Cooroy and down to the Glasshouse Mountains, Caboolture and Bribie Island. Through individual consultation, the project will encourage residents to use healthier, more environmentally friendly forms of travel such as public transport, walking, cycling and car pooling.

This is part of the world's largest travel behaviour change campaign. We will contact 324 households in Brisbane south, Ipswich, the Gold Coast, the Sunshine Coast and Caboolture. This month households in Pelican Waters, Parrearra and Glasshouse Mountains will start receiving letters from the Premier and me asking if they want to be part of this travel change project. Households that choose to participate then receive tailored information on sustainable transport in their local area, including public transport timetables, maps of local bike and walking paths, and information on the time, cost, health and environmental benefits of smart travel.

The project aims to achieve a 10 per cent reduction in private vehicle use and a reduction in greenhouse gas emissions of more than 100,000 tonnes. When a similar project was held in Brisbane north in 2007—and members should note this—there was 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 private vehicle use. All up in Brisbane north there was a 28,000-tonne reduction in greenhouse gas emissions because the government made smart travel information available to people. If similar results are achieved in the rest of South-East Queensland we will make an important contribution to reducing traffic congestion on our roads and cutting greenhouse gas emissions.

ClimateQ: Toward a Greener Queensland

Hon. PG REEVES (Mansfield—ALP) (Minister for Child Safety and Minister for Sport) (10.23 am): Climate change is one of the greatest challenges facing the modern world. With more than 2,000 people moving to Queensland each week, we need to get the balance right to protect the environment. That is why this government has invested \$196 million in its climate change strategy, ClimateQ: Toward a Greener Queensland. Our aim is to see Queenslanders lead the nation by demonstrating how to live and work more sustainably.

While Queenslanders do their bit at home, the Bligh government is committed to setting environmental benchmarks. With this in mind, we have been working hard to make our stadiums more environmentally friendly than ever before. Stadiums Queensland has a proven track record in delivering green initiatives across its suite of venues through significant reductions in water consumption, use of

green power, recycling programs and the use of public transport. Since 2005-06, our facilities have had a combined saving of 214 million litres of water a year. That is a total water saving of about 86 Olympic sized swimming pools and a saving of 60 per cent. The successful Public Place Recycling program has also seen almost 80 tonnes of material collected from 180 recycling bins at Suncorp Stadium alone. That is as much as a fully loaded Boeing 737 being diverted from landfill. At Suncorp Stadium and Skilled Park alone, more than 85 per cent of patrons are using public transport to attend games, helping to reduce carbon emissions. This is a great result.

However, we are also working hard at the grassroots level to encourage local sporting groups to get involved in the Bligh government's Low Carbon Diet challenge. Organisations from across the state, such as Townsville Basketball Inc. and the Banyo Rugby League Club, have received grants under the government's \$1 million Low Carbon Diet Community Funding Program. The funding program supports organisations that want to save money, energy and carbon emissions, and help others do the same. Those organisations will now encourage their members to stay motivated to reach their goals for reducing their carbon footprints, while saving money on electricity and water bills. This is a great example of Queensland's sporting organisations working to help make sure Queensland's lifestyle and environment are protected.

Social Housing, Communal Vegetable Gardens

Hon. KL STRUTHERS (Algeria—ALP) (Minister for Community Services and Housing and Minister for Women) (10.26 am): Public housing tenants across Queensland are going green, and they will soon have their neighbours green with envy. They have taken advantage of Bligh government grants of up to \$1,000 to grow community veggie gardens. The Tall Poppies from Wynnum are the first tenants to get their hands dirty. They have big plans to live a healthier lifestyle by growing fresh organic produce in their communal veggie garden. They are going to transform a vacant patch of land in the corner of their housing property into a thriving vegetable and herb garden for all of the tenants living there. This is about showcasing the pride public housing tenants have in their housing. It is about building stronger, greener, healthier communities, and it helps meet our Q2 goal to make Queenslanders Australia's healthiest people.

Our grants have enabled tenant groups to build garden beds, storage sheds and fencing, buy hand tools and seedlings, and to call on the experts for advice on how to make their gardens grow. So far across Queensland 12 tenant groups have been given grants to establish communal veggie gardens. We have had tenant groups on the Sunshine Coast sign up, as well as tenants from Emerald and Gatton, and inner city suburbs in Brisbane such as the Valley and New Farm. I encourage other public housing tenants around the state to join the 'dirty dozen' to bring on their own bountiful harvest in their own backyard. I hope the member for Burdekin gets behind our social housing green thumbs, because there will be plenty of rosemary growing around the state.

ABSENCE OF MINISTER

Hon. JC SPENCE (Sunnybank—ALP) (Leader of the House) (10.28 am): I wish to advise the House that the Minister for Public Works and Information and Communication Technology will be absent from the House during question time today. Minister Schwarten is attending a funeral in Rockhampton.

NOTICE OF MOTION

Sale of Public Assets; Call for Production of Documents

Mr LANGBROEK (Surfers Paradise—LNP) (Leader of the Opposition) (10.28 am): I give notice that I shall move—

This House:

- notes that widespread public sentiment exists that the Bligh Labor Government concocted a plan to conduct a series of privatisations before the March 2009 election, but deliberately did not reveal those plans as part of its election strategy;
- notes that the Premier has selectively quoted from a Cabinet document from October 2008 which included a recommendation to sell a number of Government assets; and
- calls on the Premier to immediately table in the House a copy of the Cabinet submission, notes of the meeting where the submission was tabled and discussed, and the minutes of the meeting where a decision on the submission was made.

QUESTIONS WITHOUT NOTICE

Queensland Rail, Sale of Assets

Mr LANGBROEK (10.30 am): My first question is to the Minister for Transport. I refer to the Labor government's plans to privatise Queensland Rail and I ask: who first told the minister of these plans and when?

Ms NOLAN: These matters are all on the public record from, in my recollection, either late May or early June 2009.

Ms Bligh: You were telling business conferences.

Ms NOLAN: That is right. These matters have been discussed specifically in this House well before now. I think the real question here is: what exactly is the Leader of the Opposition driving at?

Honourable members interjected.

Mr SPEAKER: Order! Both sides of the House will come to order.

Ms NOLAN: What exactly is the Leader of the Opposition driving at? This government went to the last state election having brought down a midyear budget review, having opened the books, having indicated very clearly in the wake of the global financial crisis that times were tough and having made a rock-solid commitment as our absolutely first priority to continue building infrastructure and creating jobs for Queenslanders. That was absolutely the central message, and in my portfolio and in others that is exactly what we were doing.

As the Premier has clearly explained on the public record subsequently, when the government went into the budget process some difficult decisions were made, and they include decisions around asset sales. They were made subsequent to that state election. My statements on the public record absolutely confirm that fact. That is exactly what it proves. The Leader of the Opposition seems to be suggesting something else. But my statements over time absolutely prove that point. So I think this is quite clear. In the budget process some tough decisions were made. Those decisions allow us to build infrastructure and create jobs going forward, and they are decisions by which we stand.

(Time expired)

Queensland Rail, Sale of Assets

Mr LANGBROEK: Just like yesterday, here is another minister who cannot and will not answer the question. My second question without notice is to the Minister for Transport.

Government members interjected.

Mr SPEAKER: Leader of the Opposition, I will wait for the House to come to order.

Mr LANGBROEK: My second question is also to the Minister for Transport. Will the minister give a guarantee that no railway line—any railway line anywhere in Queensland—will be closed after Labor's privatisation?

Government members interjected.

Mr SPEAKER: Order! Those on my right will cease interjecting.

Ms NOLAN: As the government outlined in a great deal of detail late last year, the government's decision is to retain the great majority of Queensland's railway lines in public hands through this process. For instance, the north coast line, the line to Mount Isa, the line out to Longreach and the line out to Charleville and beyond will all be retained in public hands. The only lines which will transfer appropriately to the private sector are those lines which are commercial coal lines. I think it is reasonable to expect that over time there will be an expansion of that network as Queensland's coal industry grows.

It is a longstanding, well-established and in regional communities very well understood Queensland government policy that, unlike when the National Party ripped up the line to the Gold Coast, there are only closures of rural lines in full consultation and with the full consent of affected regional communities. So it only ever happens when the regional community has signed up to a decision and decided that they would rather put the money which goes into a non-commercial line into something else in their community—for instance, into the upgrade of roads.

So there are two points. The first is that all of those lines, with the exception of the coal lines that we have talked about, are staying in public hands, and the second is that there is no change in Queensland government policy around this matter as a result of the assets sale process. Nothing has changed.

Honourable members interjected.

Mr SPEAKER: Order! Both sides of the House will come to order.

Mr Lucas: No asterisk, Mr Speaker.

Mr SPEAKER: The honourable the Deputy Premier, I have asked for both sides of the House to come to order.

LNG Industry

Mrs KIERNAN: My question is to the Premier. A key element in the Premier's jobs commitment was the development of the LNG industry. Could the Premier please update the House on progress?

Ms BLIGH: I thank the honourable member for the question. She, representing an electorate that has benefited over many years from the exploitation of its resources, understands how important this industry can be to Queensland.

I have outlined to the House on a number of occasions that the development of new industries, particularly the LNG industry, is a key part of our jobs program and our economic policy. I am pleased to advise the House that this week industry proponents received notification from the Coordinator-General which indicates that accommodation for temporary workers could be located on Curtis Island for the purpose of building gas export plants. This is obviously a matter that will be resolved ultimately in conjunction with the Gladstone Regional Council, but we are talking about the need for mass work camps in the construction phase. What this correspondence from the Coordinator-General does is give industry real certainty going forward as a number of major proponents get to the point of a financial investment decision in the next three months.

Our policy on this issue is very clear, as it is on many other issues right across government. We have seen some extraordinary revelations in the last couple of weeks about the policy-making process on the other side of the House. I think for me some of the extraordinary moments culminated in an interesting radio exchange between the member for Beaudesert and radio announcer Greg Cary. The member for Beaudesert, for those members who were not fortunate enough to hear it, said to Mr Cary—
We've got to become relevant. I mean, you name three policies that we've actually got.

Note the incredulity—

Mr Seeney: You're not very good at this. You should let Paul do it. You should give the bucket to somebody else.

Mr SPEAKER: Order! The member for Callide.

Honourable members interjected.

Mr SPEAKER: Stop the clock. I will wait for the House to come to order.

Ms BLIGH: Note the incredulity in the announcer's voice when he says—

Are you serious? Are you coming on a show that goes right around Queensland and you're saying to me that you don't know three policies your party stands for?

Then, unbelievably, the member for Beaudesert said to him—

No, I'm asking you, Greg. You name three that resonate with the electorate.

When you cannot name three policies yourself and you cannot get a radio announcer to name three policies for you, you are talking about a comatosed organisation. The same member is quoted in his local paper today as saying—

It's time to move away from the image of the same old tired guard treating the LNP like their own private club. It's a kind of opposition club med for the tired and weary.

Scurrah, Mr P

Mr SPRINGBORG: My question without notice is to the Minister for Transport. Last year the Premier revealed that her chief of staff, Nicole Scurrah, was to pocket a pre-Christmas \$100,000 salary increase. It now turns out that Paul Scurrah, the husband of the Premier's chief of staff, was appointed interim CEO of Queensland Rail for the duration of the privatisation process. What is Mr Scurrah's salary now and what was the pay increase?

Mr SPEAKER: Order! Before the question is answered, I say to the deputy leader: I have asked before that all honourable members be careful in naming spouses. It is a public policy question; I appreciate that.

Ms NOLAN: We on this side of the House have the modern and progressive view that married women should be able to work.

Ms Bligh: It has been around since the 1950s as an idea. Ask the member for Beaudesert if you can make it a policy!

Ms NOLAN: It is not our view, as it was in the old Queensland, in the Bjelke-Petersen days, that women should have to resign from their jobs at the point at which they married. It is the case that in many cases in Queensland two people who are married to each other both have jobs. Indeed, that is the case here. It is the case that Paul Scurrah, who runs Queensland Rail passenger services—a position he obtained on an independent merit basis some time ago—has been named as the interim CEO of the new Queensland Rail government owned corporation going forward.

As part of that appointment there are two points which I think are relevant. The first is that Mr Scurrah has not received a pay rise. The second is that there will be a full, open, merit selection process for the permanent CEO of the Queensland Rail government owned corporation past the separation of those two entities.

(Time expired)

Bligh Labor Government, Policies

Ms DARLING: My question is to the Premier. Could the Premier please outline three key policies of the Bligh government and how these policies are benefiting Queensland?

Ms BLIGH: I thank the honourable member for the question. I can indeed name three major policies of the Bligh Labor government. I am prepared to bet that even Greg Cary has heard of them. Everybody knows I went to the election with jobs as my No. 1 priority—a program to develop 100,000 jobs for Queenslanders with an \$18 billion infrastructure program. Policy No. 2: 240 new kindergartens to give every Queensland child a chance at early childhood education. Policy No. 3: State Schools of Tomorrow, which provided almost a billion dollars to give our children the best facilities to learn in. Why? Because Labor believes in something. We believe in the dignity of work and the value of work and we believe in equality of opportunity and giving every child the best chance through the transformation that education provides. More than that, we know that it takes a unified team to deliver real policies and real reforms.

I was intrigued to read in mid-December the Leader of the Opposition's quote that the LNP is experiencing complete unity. I thought I would seek what that experience might look like. In exactly the same article, 'The experience of unity', he promises a major clean-out of his shadow cabinet going so far as to say that a couple of old bulls, Mike Horan and Vaughan Johnson, might be put out to pasture and naming Alex Douglas, Michael Crandon and Ros Bates as their replacements. Did that reshuffle happen?

Government members: No.

Ms BLIGH: It lasted for 10 days and then it was ruled out. He understood that perhaps complete unity would not be achieved by that. Then we had a bit of a problem with the member for Beaudesert, who had a different version of complete unity, in which the Leader of the Opposition said, 'We don't gag our members.' Three days later he gagged the member by taking him off a policy committee. The all-time prize on this one, I think, as always, goes to the member for Burnett, who on radio on the morning of the leadership spill denied that he was ready to second a motion to oust the LNP deputy leader, Lawrence Springborg, saying that he was appalled at the suggestion. Two hours later he walked into the room and appalled himself by seconding the motion. He does not know how such an appalling thing happened, yet he became the architect of it. This is unity LNP style. They are not ready for government. They are not fit for opposition.

Queensland Rail, Sale of Assets

Ms SIMPSON: My question is to the Minister for Transport. Given Queensland Rail is currently 100 per cent Queensland owned, will the minister advise what the maximum cap on foreign ownership of QR will be set at under Labor's privatisation plans?

Ms NOLAN: For the first time, Queensland Rail's employees will have a distinct stake in the company as a result of their being gifted, as part of this process, \$1,000 in free shares, with the capacity to purchase at a discount up to an additional \$4,000 worth of shares.

The first point is that, for the first time, QR National's employees will have a direct ownership stake in the company. The second point is that the government has announced limits as to the proportion of shareholdings that any single entity can own. Questions about the proportion of foreign ownership will appropriately remain a matter for the Foreign Investment Review Board as they are for all Australian publicly listed companies.

This is an opportunity for what has long been an extraordinary Queensland entity to go forward and grow. It should not come as such an outrageous suggestion to members of the Liberal Party that the coal industry going forward would invest in moving its own coal and that this kind of purely commercial infrastructure should be provided by the private sector.

Frankly, it strikes me as quite odd that we have what used to be the Liberal Party coming in here this morning and, firstly, arguing vociferously against restrictions on tree clearing and, secondly, running the line that it is not appropriate for the private sector to provide export infrastructure in a growing market. That is what this question is ultimately about. That is the lie of the former Liberal Party's position—

Mr SPEAKER: Order! That word is unparliamentary; withdraw it immediately.

Ms NOLAN: That is the mistruth of what was the former Liberal Party's position. There is nothing inappropriate about a growing private sector providing commercial infrastructure to a growing industry.

Health System

Mr KILBURN: My question without notice is to the Deputy Premier and Minister for Health. Can the Deputy Premier and Minister for Health outline some of the important policy development challenges for the future provision of health care to Queenslanders?

Mr LUCAS: The health challenge throughout the Western World is a challenge that is very significant for all governments. We are faced with ageing populations—in fact, Australia is fortunate and not as bad as some countries—and ever-increasing life expectancies off the back of improved medical treatments. For example, once upon a time more people died of heart attacks and strokes. They are not doing that now. Cancer treatment rates and cancer demands are going through the roof. That is the stock in trade of modern health systems. It is important that governments respond in a policy sense to all of the challenges that face Australia's most decentralised mainland state.

Some of the issues that confront the Queensland government include our decision to significantly increase the medical workforce and to pay it much better than it has been in the past. Since 2005 we have employed 12,600 extra doctors, nurses and allied health professionals. From January 2009 we had 113 rural scholarships for health professionals in medicine, nursing and allied health. They are working in 36 rural communities where they are needed. There are 85 nurse practitioners in Queensland. They are using those extra skills so that they can remain clinical as they go through their professional career.

Telehealth is another area to look at. When I go to resuscitation cubicles in all of our hospitals I firstly ask to see where the camera and the high-definition television is that goes back to the major hospitals. So when someone is in an acute situation in a small hospital they have input from the central hospitals in Townsville, Rockhampton, Cairns or Brisbane.

All of those aspects are part of making sure that we keep pace with the demands in a modern health system. We have a hospital building program that is the envy of the rest of Australia. Whether one goes to Cairns, the Gold Coast, Mount Isa or Toowoomba, one can see things happening in all of our hospitals. It is a \$6 billion program, with 40,000 jobs created over the life of the project. Last year the AMA called for 3,700 additional beds across Australia. Our building program will mean that by 2016 we will deliver 1,700 in Queensland alone.

On Monday the Leader of the Opposition said that emergency doctors and nurses need more resources. In the same press conference his shadow spokesperson said that building more emergency departments is not the answer. Those opposite do not have a clue. What have they done? What are their policies? The member for Caloundra had a mental health policy that would see it run by volunteers. The member for Burnett had hospital ships. The next thing he would be having is prison holds as part of his prison policy. In September the Leader of the Opposition told 4BC to 'watch this space'.

Those opposite do not know what they are on about. The member for Caloundra is like the second-hand vacuum cleaner salesman. When we trade in a vacuum cleaner we know what happens. The good places take them all and ship them off somewhere, whether they are working or not. He now turns up—the man who will not ask me a question about it, the second-hand vacuum cleaner salesman with a bow tie who spends all of his time moving on—

(Time expired)

Queensland Rail, Sale of Assets

Mr NICHOLLS: My question is to the Minister for Transport. Will the minister confirm that the proceeds of Labor's privatisation of Queensland Rail will only pay the total peak interest bill on Labor's \$85 billion state debt for 18 months?

Ms NOLAN: I am happy to answer the member's question. Before I do, I would like to table an extract from *Hansard* from 2 June 2009 which confirms my point that specific dates about what decisions were made at what point were put on the public record well before now.

Tabled paper: Extract from Record of Proceedings, dated 2 June 2009, regarding Queensland Rail [1711].

That answer gives a specific written response to the Leader of the Opposition's first question that those opposite must have missed eight months ago.

I now go to the question from the member for Clayfield. At this stage of the game, having not completed the Queensland Rail IPO, the government is not in a position to say what the proceeds will be. Obviously we cannot know that before the asset has been sold. The member for Clayfield's question as such is something of a hypothetical and, indeed, a bit of a silly one at that.

What I can confirm, however, is that this government has a detailed plan to restore the state's finances and to move towards regaining our AAA credit rating. In that regard, I think we stand in very stark contrast to members opposite who simply proceed to bring forward uncoded funding commitments with no real prospect about how they might be paid for. That is with the exception of sacking hardworking public servants.

Let me give members a few examples. At the last election the member for Maroochydore went up to Redcliffe and announced that she was going to build the Petrie-Kippa Ring railway line, except that the announcement had an asterisk at the end that said 'subject to global financial crisis'. The opposition made a commitment to subsidise Torres Strait air services, but again that was not funded. That was an amount of \$40 million. It made a commitment to automatic train protection. That is something that would cost between \$300 million and \$500 million. But again it was uncoded.

Those opposite have made commitments to not change car registration and to keep the fuel subsidy. That is worth \$800 million and is completely uncoded. The member for Beaudesert wants to run a rail service out to his electorate but has given no indication of how it might be funded.

(Time expired)

Jobs

Ms FARMER: My question without notice is to the Treasurer and Minister for Employment and Economic Development. Can the Treasurer update the House on the government's commitment to assist school leavers find work?

Mr FRASER: I thank the member for Bulimba for her question. The government remains utterly committed to delivering our \$18 billion infrastructure program to bolt in the capital works for the future that we need and to support jobs in the economy right now. But while we are investing in the capital stock of this state we are also investing in the capital stock of our people. We are investing in young Queenslanders to give them the best chance to get into the workforce.

That is why we have maintained our commitment to important labour market programs like Get Set for Work, which helps young people overcome the barriers in order to crack a job for the first time, to get in the front door and to get the skills to get that job—to get one of those jobs that is being supported by our infrastructure program. This year we will spend \$12.5 million on more than 70 projects to give 15- to 19-year-olds a chance to get their first job, and members on this side of the House know that it is these people who need a government's assistance because members have seen the results of programs like this. They have been to the graduation ceremonies and they see a policy in action—a policy in action just like our policy that supports payroll tax rebates for apprentices and trainees, just like our policy to abolish stamp duty for first home buyers for property up to the value of \$500,000 which saw more than 40,000 people get into the housing market last year, just like our policy to implement the JobsAssist program which provides \$10 million in upfront assistance to businesses that are facing the effects of the global financial crisis.

What have we seen from the other side? How many policies have we seen to date? The answer is zero, just as the member for Beaudesert said. When it comes to policy formation, the Liberal and National parties in this state are just like the West Indies cricket team—full of fire and brimstone in the seventies and eighties, but what have they got today? They have got nothing! But at least the West Indies are starting to blood new talent into the team; the Liberal and National parties are keeping their talent right up on the back bench. The other difference of course is that the West Indies cricket team is in fact a team and they agree on who should be the captain and vice-captain.

The reality of course is this: we see the same old Liberals and Nationals with the same old division and the same old inability to put forward a policy position, because they still believe in privatisation just like they always did. They have got inquisitive minds this morning, so maybe we should ask them a few questions. For instance, when did the Leader of the Opposition hear from the member for Indooroopilly that he has maintained his interests in Crook Publicity? When did the Leader of the Opposition hear from the member for Indooroopilly that so opposed to privatisation is he that he wanted to make a quid out of it? When did the Leader of the Opposition hear from the member for Indooroopilly that he still maintains directorships in these companies? Is anyone else going to draw the conclusion that the silence at this point from the member for Indooroopilly as he skulks down in his chair might just reveal the truth to this matter?

Queensland Rail, Sale of Assets

Mr JOHNSON: My question is directed to the Minister for Transport. Will the minister guarantee that no regional or rural Queensland Rail worker seeking to keep their job will be forced to leave their community as a result of Labor's privatisation?

Ms NOLAN: Yes, I will. Queensland Rail has long—

Ms Bligh: There's an industrial instrument that prevents it—no forced redundancies, no forced relocations!

Ms NOLAN: That is right. It has an industrial instrument that has long prevented forced relocations and forced redundancies, and that continues to be the case.

Education and Training

Ms JOHNSTONE: My question is to the Minister for Education and Training. Could the minister outline for the House what the Bligh government is doing to ensure Queenslanders have access to world-class education and training?

Mr WILSON: I thank the honourable member for the question. The Bligh Labor government is building a first-class education system here in Queensland, and I will name just three key policy areas. The first is lifting student achievement. We are undertaking a major reform in this area. We have

mandated teaching times for literacy and numeracy. We have introduced 80 literacy and numeracy coaches. We are putting in 10 turnaround teams to go in and work with disadvantaged schools. We are undertaking audits across schools to identify where we can improve literacy and numeracy teaching. We are running summer schools. These are innovative reforms that are all being guided by the overarching Masters report because we want to build a world-class education system for Queensland students.

To take the second area in terms of Indigenous education, we have rolled out the Indigenous education Closing the Gap strategy and we are working with the federal government in making big inroads in this area. We recognise that there are important and significant and very difficult challenges in this area, but we are getting some results. For example, one only has to look at the Bound for Success strategy with the kindergarten programs in 35 Indigenous communities. One only has to look at the results that we are getting out of Yarrabah, for example, in the NAPLAN test results from last year. These are brilliant examples of where we can go and will continue to go into the future. The third area is greener schools. For example, we have rolled out a \$60 million green schools strategy putting solar panels on school roofs and introducing energy efficiency methods within the school and also teaching around this, and we are well ahead of program.

They are three areas of significant education and training policy. Where are the education and training policies from the LNP? It has been 326 days today and there is not one new education or training policy from the LNP. One only has to go and check the websites. Go and check springborg.com—oh, sorry, that has closed down I believe, or so I am advised. Go and check the website of the member for Surfers Paradise. Go and check the website of the member for Moggill. We could not find any, so we went to the member for Beaudesert's website. No, there were none there either. We are putting forward important reform policies for the future. Those opposite are not to be seen—no policies, no ideas, no plans for the future. They are not thinking about the future of Queensland students and the future of Queensland parents. I actually thought that the member for Beaudesert was probably being a little unfairly attacked earlier. He is probably the only thinker left on the LNP. But what have those opposite done to the only thinker? They have tried to destroy his public reputation and they have removed him from a position of influence on their side of the House. That tells us how bereft they are of policies and plans and ideas for Queensland students.

(Time expired)

Queensland Health, Spending Priorities

Mrs MENKENS: My question is to the Minister for Health. In 2007-08 the government spent only \$437,000 on a BreastScreen Queensland social marketing campaign. Would the minister explain why he sat around the cabinet table and approved spending \$1.9 million—four times that amount spent on breast cancer awareness—on Labor's political myths and facts brochure to sell Labor's privatisation plans?

Mr LUCAS: I thank the honourable member for the question, because it is a very important one. I said earlier that we face some very significant issues with the ageing population of this country. Medical treatments are improving all of the time. Depending on the measure used—and there are various ones—the Health and Hospitals Reform Commission uses a different one than I use and it says that Australia has the third longest life expectancy next to Iceland and Japan. Others say that it is the second longest next to Japan. In any event, that is a very good measure of the standard of health care in this country and our life expectancy at birth at the moment, and it will ever increase.

I indicated earlier that one of the marvels of our modern medical treatment is that people are in fact living much longer. If one looks, for example, at the intergenerational report released by the Commonwealth government recently, they will see that by 2050—off the top of my head—we will go from five people at the present time working for everyone over 65 to 1.7. So we have massive challenges confronting us in terms of the ageing population. Why is that relevant to the question that the member asked? One of the real issues in terms of that will be the increased requirement for us to spend money on health—in fact, an almost doubling of the percentage of GDP is required, and I can get the member that information if she is interested.

What that also means is that as people get older they are more likely to then suffer from diseases such as cancer. Cancer does tend to confront itself in older populations. Why is that important? Because here is the crux of the matter that those opposite deny: they deny the fact that they would rather have coal wagons being purchased and they would rather have billions of dollars being spent on coal lines than have that money being spent in health. The money that we need to spend in health now is only the tip of the iceberg of what we will need to spend in Health in the future. I say every single time that I will back getting money to employ more doctors, nurses and allied health professionals and the people who assist them and a capital building program in our health system. It is about explaining to the community why we need to do it, because when people are sick with cancer in the future I do not want to be saying to them, 'I am sorry that those extra clinicians that we could have employed are now being funded by way of a coal wagon.'

We will still get the royalties that will deliver the money to us. The Commonwealth government will still get the profits. I say any day of the week that the coal wagons will be there, provided by the private sector, but people will be increasingly looking for us to provide the health dollars. The statistics do not lie. I vote yes to be selling these assets so that I can spend more money in the future on health. The demographics of this country demand it.

Natural Resources, Mines and Energy, Policies

Mr PITT: My question is to the Minister for Natural Resources, Mines and Energy and Minister for Trade. Can the minister outline for the House some significant policies—perhaps three—implemented across the Natural Resources, Mines and Energy portfolios?

Mr ROBERTSON: I am more than happy to oblige the honourable member. The only problem is being limited to three, given that there are so many policies that we have implemented over the time that we have been in government, including over the past 12 months. Let us start with clean energy—perhaps one of the most important policies that any government could bring before the people of Queensland. We have a commitment to increase the amount of energy generated from renewable resources by 2020 to 20 per cent, coming off our six per cent current usage rate.

Let us move on to vegetation clearing, because we have just heard how successful our laws have been over the past number of years in reducing greenhouse gas emissions in this state from tree clearing from 60 million tonnes per year to 24 million tonnes per year—delivering Australia its emissions reductions had we signed up to the Kyoto protocol. As I said, that was acknowledged by John Howard at the time.

Then, of course, there is our protection of our pristine wild rivers. It is interesting to note that the only opposition policy that perhaps can be recalled got another run just yesterday by the member for Callide. Remember wild rivers? Only yesterday Mr Seeney said—

Ms Bligh's wild rivers laws were nothing more than a grubby election deal to secure Green preferences.

This would have to be the same wild rivers legislation that the opposition supported. Can I just help members opposite recall the statement by the then Leader of the Opposition, Mr Springborg, on 5 October 2005, when he was talking about the wild rivers legislation. What did he say? He said—

Of course we supported it.

Back then, Dr Flegg was the leader of the Liberal Party. He said—

The Liberal Party supports the preservation of genuine wild river areas.

The only policy of the opposition that has remained from elections past is the tactical lie.

Mr SPEAKER: Order! The honourable minister will withdraw that expression.

Mr ROBERTSON: I withdraw, but what have we seen over the last week? As we know, the member for Beaudesert is somewhat of a music aficionado, and he would have now found out that 'three' is the loneliest number of all.

Adoption Laws

Mr DEMPSEY: My question is to the Minister for Child Safety and Minister for Sport. Why did the Labor government introduce new adoption laws last year that maintained a ban on same-sex couples adopting children?

Mr REEVES: I thank the honourable member for the question. I must say that it is really good that he has actually asked me a question about child safety. In the case of adoption, it is the role of the state to place children with parents. The majority of adoptions in Queensland each year result from intercountry adoption arrangements, and none of those countries will accept applicants from same-sex couples. With this in mind, the Adoption Bill 2009 was consistent with such overseas requirements.

Public Transport

Ms GRACE: My question is to the Minister for Transport. Can the minister outline to the House how the government is delivering on its commitment to provide 301,000 new seats on public transport every week?

Ms NOLAN: I thank the honourable member for her question and I acknowledge her commitment to build a strong, sustainable and green city in this part of South-East Queensland. While the opposition is so entirely focused on the past, the government has a very clear vision to build a world-class and sustainable public transport system for South-East Queensland. Late last year we announced fare changes which mean that today, in 2010, South-East Queensland TransLink commuters are paying the same price for a trip on a go card as they were paying for a paper ticket in 2007. At the time that we announced those fare changes, we made a commitment to roll out 301,000 extra seats on the public transport network each week.

Today I want to detail the first stage in meeting that commitment. From 22 February there will be thousands more bus seats for Brisbane commuters. We have a \$3 million bus enhancement package, which will add 13 new low-floor, air-conditioned and environmentally friendly buses to the Brisbane transport fleet. This boost in new buses has the potential to take one million car trips off Brisbane city's roads each year.

The package includes an extra 245 weekly bus services to and from the PA Hospital and 208 extra bus services to and from the University of Queensland. The UQ is the second biggest passenger hub, after the CBD, in the TransLink network. The frequency of bus services on the Eastern Busway—a fantastic piece of public transport infrastructure built by this government—will double, with a bus to UQ each weekday morning every two minutes. We are extending the popular 66 bus route to the Royal Brisbane and Women's Hospital, in the electorate of Brisbane Central, to provide much needed capacity between the hospital and the city. Again, members will be aware of the new green Royal Brisbane and Women's Hospital bus station, which was opened by this government last year as part of the Northern Busway. We are adding 36 new services on weekdays and weekends on route 109, which will now run along the entire Eastern Busway. This is a major improvement in bus services for Brisbane.

(Time expired)

Maryborough, Rail Workshops

Mr FOLEY: My question without notice is to the Minister for Transport. Minister, Maryborough will be gutted if we lose the major rail manufacturing contracts to an offshore company, so I ask: is the minister fully aware of the potential fallout for Maryborough and Hervey Bay and, secondly, does the minister have any good news on this issue?

Ms NOLAN: I thank the honourable member for Maryborough for his question and I acknowledge his advocacy for his community in this regard. The positive news for the member for Maryborough is that the answers to his two questions are yes and yes. I am well aware of the importance of this workshop to the Maryborough community and I am also well aware of just how much work the Downer EDI Bombardier workshop in Maryborough currently has on as a result of this government's investment in new passenger and freight trains.

Right now there are 825 direct and indirect jobs plus 58 apprentices being supported in the Maryborough and Hervey Bay community because this government is halfway through an order for 64 new city trains. In addition, when I visited the workshop last year it was clear that there was also a great deal of work going on for QR in terms of freight locos. This workshop is also building trains for the Perth network and for Pacific National.

As a result of my intervention, along with the Treasurer, we are able to advise that there will be a local content requirement in the next order for city trains which will be a tender process which is currently on foot and which will be finished by the end of 2010. When I spoke to workers in Maryborough they totally acknowledged that they had to compete but were satisfied that there was a local content requirement so that there is an extra value placed on work performed in Australia and, indeed, in Queensland.

The good news that I am able to tell the member for Maryborough for the first time is that Downer EDI Bombardier is currently participating in a trial for the overhaul of four passenger trains in addition to the new trains which we are currently rolling out. Queensland has some quite old electric trains dating back to the late seventies. Right now the Maryborough shop is doing a trial of refitting the oldest four of those trains and if we find that that work can be efficiently, successfully and cost effectively done in Maryborough, up to a further 40 could be sent to Maryborough supporting hundreds of jobs.

This government's priorities are abundantly clear. We have a very strong commitment to passenger transport, which is evidenced by the extent to which we are currently purchasing new trains, and we have a very strong commitment to Queensland jobs.

Fine Defaulters

Mrs KEECH: My question is to the Attorney-General and Minister for Industrial Relations. Can the Attorney-General provide the House with a report on the implementation of new laws relating to long-term fine defaulters that took effect from 1 January this year?

Mr DICK: I thank the honourable for her question and her interest in this very important matter for Queensland. Queenslanders expect people who break the law and receive a fine to pay their debt in full. But, unfortunately, some shirk that responsibility. That is why the Bligh government introduced new powers for the State Penalties Enforcement Registry, otherwise known as SPER. We introduced new laws late last year to target chronic fine bludgers by strengthening SPER's enforcement powers, allowing them to clamp wheels, seize property and suspend drivers' licences. It is a 12-month trial but I am pleased to report that the new laws have had an immediate effect.

Since those laws were passed by parliament late last year SPER has been contacting debtors who risk falling foul of this new enforcement regime. After just one month—that is, at the end of the January—more than 450 fine defaulters, made up of 439 individual debtors and 28 corporate debtors with debts totalling \$4.8 million, have agreed to repay their outstanding fines. Notices have been issued to 12 long-term debtors owing a combined total of \$119,000 that the government would commence clamping their wheels if they did not start meeting their obligations. Five of those 12 fine defaulters have contacted SPER to arrange payment of debts totalling more than \$54,000. One person who refused all approaches to meet his obligations had his wheels clamped last Thursday—the first person in Queensland to be clamped under the new laws. I am pleased to report that just yesterday, Tuesday 9 February, enforcement officers removed the clamps after he agreed to repay his fine of \$5,754.50. If he had not, his vehicle would have been seized and sold.

SPER is an ongoing success story; it is another one of those things this government is doing to deliver for Queenslanders. The money we recover under SPER goes back to building a better state. The money goes back into hospitals, doctors, schools, the justice system and the police force. Average monthly collections this financial year have been \$13.5 million, an increase of \$1.6 million a month on average compared with the last financial year. We still have a long way to go. These enforcement measures are not a magic bullet, but fine dodgers are getting the message: pay your fine or lose your wheels. We have tried the carrot approach in the past. Now we are using the stick. I am pleased to say the stick is having some effect. I say to all fine bludgers: if you are a chronic fine defaulter you should get your affairs in order or get a comfortable pair of shoes because you could find yourself doing a lot more walking in the future.

Woodford Correctional Centre

Mr POWELL: My question is to the Minister for Police, Corrective Services and Emergency Services. I refer the minister to the Woodford Correctional Centre in my electorate of Glass House. Will the minister guarantee that the Woodford Correctional Centre will not be privatised nor any other correctional facility?

Mr ROBERTS: I thank the member for the question. The member needs to be aware that we currently do have two privately operated prisons within Queensland. Those prisons are operated efficiently and effectively as are publicly owned prisons, of which Woodford is one. With respect to Woodford, in recent times there have been a number of issues raised in terms of industrial matters. One of the significant issues with Woodford is that there is a capacity utilisation program underway within Queensland Corrective Services where a number of the units there have been mothballed. The member would be aware of that. He has visited the prison. That has been worked through with the unions and management quite successfully. My understanding is that the unions and management have reached quite an agreeable situation to deal with that proposal.

There is no proposal before me or government to privatise the Woodford Correctional Centre. As I indicated, we do have two privately run prisons, Arthur Gorrie and Borallon. I have visited both of those. They are very well run. The contracts between the agency and those prisons are closely scrutinised. They have to meet the same standards in terms of prison security and what is offered to prisoners as the public sector prisons do.

Emergency Services

Mrs SULLIVAN: My question without notice is to the Minister for Police, Corrective Services and Emergency Services. I note the release of the annual report on government services, and I ask: can the minister inform the House how Queensland's emergency services compare to other states?

Mr ROBERTS: I thank the member for the question. As members of the House would be aware, the report on government services was released a short time ago. I am very pleased to talk not just about emergency services, which I will do today, but also about Police Service and Corrective Services and the excellent record they have in terms of comparisons with jurisdictions and agencies in other states.

Today I want to talk in particular about the Queensland Ambulance Service. Members would be aware that in 2007 a very comprehensive audit was undertaken of the Ambulance Service. The key focus of that audit was to ensure that as many front-line resources as possible are transferred to the front line. Around \$12 million in savings were identified out of a budget of \$390-odd million. That money was directly transferred to the front line. The resource commitments that the government has given, along with the demand management strategies outlined in the audit, are delivering first-class results for the Ambulance Service and they are reflected in the recently released report on government services.

One of the key measures when comparing ambulance services across the state is response times. Queensland has the best response times in the country. The key measures are how many emergencies are attended to, what is the time limit for 50 per cent of emergencies and what is the time that they are responded to for the 90th percentile.

In the 2008-09 year in Queensland, officers attended 50 per cent of emergencies within 8.4 minutes. The national average was 9.5 minutes. The most comparable state to Queensland is New South Wales at 10.3 minutes. Queensland's response time was 8.4 minutes and in New South Wales, the most comparable state, it was 10.3 minutes. Our response time for the 90th percentile was 17.2 minutes, which was the third fastest in Australia. The good news about the Ambulance Service is that those response times are continuing to improve. In my view, that is a direct result of the increased resources and the increased focus on demand management strategies by the Ambulance Service. The latest figures show that currently 50 per cent of emergencies are responded to within 8.2 minutes, which is an improvement on the figures for the last financial year, and 90 per cent of emergencies were attended within 16.8 minutes. I believe that ours will be the best response times of any ambulance service in the country.

The other important measure is the number of ambulance operatives per head of population. Again, Queensland leads the nation. In Queensland there are 55.9 ambulance operatives per 100,000, compared to 43.2 across the rest of the country. Queensland's cardiac arrest survival rate has improved significantly, increasing by 5.1 per cent over last year. The percentage of front-line ambulance operatives went from 77.6 per cent to 82.7 per cent—

(Time expired)

Mr DEPUTY SPEAKER (Mr O'Brien): Order! The time for question time has expired.

PRIVATE MEMBERS' STATEMENTS

Bligh Labor Government

Mr LANGBROEK (Surfers Paradise—LNP) (Leader of the Opposition) (11.31 am): In light of what has happened in this parliament yesterday and today, it is obvious that minister after minister and the executive have no idea about Westminster responsibility of ministers. Clearly, more and more ministers think that coming in here and performing is more important than answering responsible questions about their portfolios. We saw that yesterday with a bumbling performance by the Minister for Child Safety and Minister for Sport, and we saw it again today with the Minister for Transport. Clearly, these ministers are being sidelined by the Premier. It is obvious that previous ministers have been sidelined as well. It is fairly obvious that even Terry Mackenroth, a former Treasurer, is some sort of figurehead. We have seen the way he carried on business when he was the chairman of the Gold Coast Motor Events Co. He was conned by a smooth-talking South African. Due diligence and other procedures were not followed and there was no written communication.

Yesterday, the Minister for Child Safety and Minister for Sport could not or would not answer questions about lobbying fees and success fees. He said that if we had information it should be referred to the CMC. We were asking him whether he satisfied himself about lobbying fees and success fees. He took no responsibility for what happened with the Indy and the A1GP. He could not guarantee that Mr Mackenroth would not be appointed again and had no idea about due diligence.

Today, the Minister for Transport tried to tell us that on 1 May last year she had no idea about privatisation and assured the House that Queensland Rail would not be privatised. However, subsequently she came back here and told us who told her and when, but clearly that was not the case. She cannot guarantee that rail lines or services will not close. She cannot tell us about levels of foreign ownership. She will not confirm or deny that revenues from the sale of Queensland Rail will pay the interest on our \$85 billion debt for only 18 months. Of course, the Treasurer's own advisers tell us that, by his level of questioning, he is unaware of simple principles of business. He is a figurehead and should be condemned.

(Time expired)

Cape York Peninsula, Sign

Mr O'BRIEN (Cook—ALP) (11.33 am): Late last year some low-lives stole one of the most iconic signs in Queensland—that is, the sign that marks the northernmost point of the Australian mainland at the tip of Cape York Peninsula. The theft was brought to my attention by the member for Barron River, who made the trek to the tip not long after the sign was stolen and was bitterly disappointed he could not get a photo taken at the official northernmost point of the Australian mainland. For many years thousands of other people from here and abroad have done this. I reckon that a photo of that sign is in photo albums and on videos all over Australia and the world as a memento of people's visit to the tip.

I knew that swift and direct action was required to address this situation and immediately undertook to replace the sign using the resources of my electorate allowance. I am pleased to advise the House that two weeks ago I returned to the five communities that make up the Northern Peninsula Area and handed over the sign to the deputy mayor of the local council, Mr Reggie Williams. The Northern Peninsula Area Regional Council has kindly agreed to install the sign in the original place prior to the beginning of the tourism season this year. In fact, there has been a real partnership in getting the

sign back up at the tip. Anthony Gomes from the *Cape Yorker Magazine* agreed to help me out with half the cost of the sign, and Skytrans Airlines picked up the cost of transporting the quite heavy sign to the NPA free of charge. I plead with visitors to the site not to vandalise or steal the sign. It is iconic and thousands of visitors enjoy it.

Last year the Cape York tourism industry bucked the overall trend with, generally speaking, most operators experiencing good sales and visitor numbers. There has never been a better time to visit the cape. The Peninsula Development Road has never been in better condition and, barring a cyclone, should hold up well following the wet. There are new campgrounds being opened up, like the one at Somerset that the member for Barron River and I opened late last year. More are planned to be opened this year. Additionally, the private sector is seeking to invest in the area. It is a magical place with many natural and cultural attractions. I have been pleased to be involved in the project to mark the very top of the state.

Breast Cancer

Mr McARDLE (Caloundra—LNP) (11.35 am): In today's *Courier-Mail* the health minister is quoted as saying—

I yearn for the day when we can have some maturity in the health debate in this state.

Today he was asked a question about breast cancer—a disease that affects many women and families right across the state and for which many women and their families have raised many millions of dollars. This was a prime opportunity for the health minister to embark upon a mature debate about a debilitating disease that kills tens of thousands of women across this nation. What does he do? He reverts to form. It was a rant-and-rave attack upon a woman who posed a question about a critical issue facing this nation. If this health minister wants to lead a debate in regard to health reform, he needs to start in this parliament. He simply cannot say the words without taking the action. Quite simply, all we heard was the health minister ranting and raving on a very critical issue.

This is not an issue that should be taken lightly or dealt with flippantly. This is not an issue that should be treated as a joke or treated with disdain, which is what the health minister did here today. I am disgusted that this man can stand in this chamber and proclaim to be the protector of health in this state and then attack a person who raised a very crucial question about the health of women right across the nation.

I want to know what the health minister and this government are going to do in relation to Kevin Rudd's proposal to take over the state hospital system. What is this government's position?

Ms Struthers: What's your policy?

Mr McARDLE: We are opposing it all the way. Yesterday, Kevin Rudd made a comment about health boards. He is on track.

(Time expired)

Bikeways

Mrs ATTWOOD (Mount Ommaney—ALP) (11.37 am): I rise to speak about the state government's SEQ Cycle Network Program, which identifies cycling infrastructure as a key priority for the region and is part of the \$556 million South East Queensland Infrastructure Plan and Program. On 29 January this year in Jindalee I had the pleasure of attending a local bikeway project that was jointly funded by the state government and the Brisbane City Council. The Lord Mayor of Brisbane and I witnessed the placement of a 52-metre long, three-metre wide, single-span aluminium alloy bridge over Jindalee Creek. Stage 2 of the Jindalee Bikeway project completes the missing link in the South West Riverside Greenway, which will link Wacol to the Eleanor Schonell Bridge and central business district in the future.

At a local level, the link connects the riverside bikeway along the periphery of Mount Ommaney and Jindalee to the Centenary Highway bikeway, which was completed a number of years ago by the state government. The state government bikeway runs the entire length of the Western Freeway from Sumners Road. It is well used by commuters to the CBD during early weekday mornings. Members of the Centenary Bikeways Group are also regular users who undertake leisure rides from their homes to all parts of Brisbane and beyond. In the past during Bike Week I have ridden with the group to the city. It takes around 30 minutes for commuters to get to work in the CBD. I am delighted to see that over the years the government has been increasing the number of cycleways as an alternative form of transport.

I encourage employers to make facilities available in the workplace for employees who wish to ride their bikes to work. Over recent years in Brisbane there has been a 40 per cent increase in cycling. Cycling to work also has the benefit of increasing health and physical fitness in an age when obesity is a growing issue, particularly for our young people. It also contributes to our government's priorities of managing congestion, addressing climate change and encouraging more active transport. The local community in the Centenary suburbs welcomes alternative forms of transport and the green benefits of cycling.

Education Reforms

Dr FLEGG (Moggill—LNP) (11.39 am): The LNP has called on the government to start serious consultation in relation to a national curriculum. After that call went out the government released a green paper. However, anyone who reads that green paper should not be misled. The issue around the movement of year 7 into high school is a fait accompli. The government has already decided. It is not asking for people's opinions on it. In this green paper the government ignores many of the serious issues. It is already far later than it should be to be discussing these issues, which will mean increasing the numbers in our already bursting-at-the-seams high schools across the state by 20 per cent. The paper gives no solutions as to how that will be achieved or where the new high schools will be built.

There has been no discussion about whether the primary teachers who will be made redundant when the government makes this move will be used to reduce class sizes, will be retrained as secondary teachers or will simply be pushed out like we have seen teachers pushed out in this state before. There is no policy in relation to the kids, who will still be younger than their interstate counterparts, who are not ready to go to high school and how that will be dealt with.

Perhaps the largest hole of all is: where is the money for the schools to fund the vast increase in secondary teachers that will be required to increase student numbers by 20 per cent? The \$300 million talked about for new schools is a drop in the ocean. That will go nowhere near even a fraction of what is required. This is a massive, unfunded black hole in education. It is all very nice and good to talk about what the government wants to do, but to expand high schools by 20 per cent in this way and have the teachers and adequate resources is going to create a funding black hole.

(Time expired)

Education Reforms

Ms DARLING (Sandgate—ALP) (11.41 am): I look forward to reading the submission by the member for Moggill to the education green paper. The Bligh Labor government is serious about the process of continually improving education and giving children a flying start. Our education green paper is now out for comment, and I encourage parents, grandparents, carers and friends of students, future students and the students themselves to have a say. Parents in my electorate have already raised with me the idea of moving year 7 students to high school. As the mother of a 13-year-old who started high school this year, I understand some of the issues facing parents and students.

Middle school curriculum catering for years 7, 8 and 9 has been successfully implemented in many private schools and is showing the educational outcomes that can be achieved by tailoring the curriculum to better suit the development and learning traits of young people of this age. Since the introduction of the prep year by this government there has also been much discussion on the early years of education, and I would value the feedback of my local community on ways to better prepare children for school, such as providing parents with tips to help their kids embrace the joy of reading. The Queensland Ready Readers program is a great way to expand the volunteer pool beyond the parents who are already giving their time to help with reading in schools.

Another issue I often discuss with teachers is the need to provide our professional teaching staff with the tools to manage behaviour in the classroom, and I welcome the review of teacher training. I thank the teachers and parents who have raised the issues of classroom experience for student teachers and moving year 7s to high school to help them compete on a level playing field with their interstate counterparts.

We are listening and I welcome your feedback. My mobile offices around the electorate of Sandgate for February and March will be focusing on these education reforms, and I look forward to meeting with as many parents as I can over the next few months, either at my street stalls or at schools when I am visiting to say g'day to the parents, the P&Cs and the P&Fs.

Ridgelands Campdraft

Mr MALONE (Mirani—LNP) (11.43 am): I rise today to talk about the Ridgelands and District Rodeo and Show Association, which is no different from most organisations throughout Queensland that run events throughout the year. The president of the association is Rob White and the treasurer is John Murphy, and I met them last week.

They are running a campdraft on 2, 3 and 4 April this year, which is Easter. They have been running that event for 40 years. Unfortunately, one of the limiting factors in running a profitable campdraft is the fact that they have to have an ambulance on standby, and the cost of providing that ambulance on standby is rising tremendously as the years go by. In 2008 the cost of having an ambulance on standby was \$1,800; this year the cost is going to be \$3,900. As I said, right throughout Queensland every weekend volunteer organisations are running functions, such as campdrafts, rodeos et cetera, and the cost of providing those medical services is increasing.

Years ago those organisations were contributing substantially to the Ambulance Service through voluntary funds. The participants, the organisers et cetera are now paying \$100 each year towards the Ambulance Service through their power bills. On top of that, the voluntary associations are finding it difficult to maintain the yards et cetera. So basically what is happening is that most of the money that is being raised is going directly back to the Ambulance Service, which is provided by the government.

What has happened to the community service obligations that we had in this state years ago where the government supported and funded those types of functions for our communities? It is those communities in rural areas that are paying these incredibly increased costs to have an ambulance on standby.

(Time expired)

Education Reforms

Ms FARMER (Bulimba—ALP) (11.45 am): The Premier and the Minister for Education and Training last week announced yet another raft of exciting education reforms. The Bligh Labor government has already amassed an impressive record in education—one which I know is making a real difference to schools in my electorate.

There are three policies in particular: the introduction of the prep year, which so many teachers tell me has effected a quantum leap in the preparedness of year 1s as they go on to more formal learning; the 'earning or learning' reforms for the senior years—and Balmoral State High School is a wonderful example of this, with an increase in one year from two to 24 school based traineeships and apprenticeships; and the rollout of 240 new kindergartens at school locations and long day care. I am grateful for the allocation of one of the new kindies to Seven Hills State School, which is a school of choice in our local area because of its approach to curriculum and its wonderful sense of community. The new kindy will be the icing on the cake.

However, it is the newly announced reforms which are causing much discussion and excitement: the transition of year 7 into secondary school; supporting early reading through supporting parents and carers and through the Queensland Ready Readers program; and supporting new and existing teachers through quality assurance and a review of teacher training.

Bulimba schools are already doing many good things which will provide valuable lessons for the implementation of the reforms, such as Cannon Hill Anglican College, which recruits and trains volunteers as support readers in primary school and has an allocated reading time for every student and teacher in secondary school; St Oliver Plunkett School, which dedicates multiple periods to extra literacy support for each year level; Cannon Hill State School, which has an exciting plan for dedicated, community based support to local families to encourage reading, and which has a focus on supporting new teachers and teaching literacy; and Murarrie State School, whose staff and P&C have such big hearts and who could see straightaway the positive benefits of the proposed early reading support and they cannot wait for it to begin.

This is a great vision for education. I look forward to receiving feedback on the proposed reforms from the Bulimba electorate and to the rollout of an excellent program.

Queensland Racing

Mr STEVENS (Mermaid Beach—LNP) (11.47 am): Minister Lawlor has abandoned all three racing codes in Queensland and has himself adopted the intimidating and coercive bullyboy style of his mouthpiece, Labor Party messenger Bob Bentley, to force an amalgamation of all three codes into one racing board to continue the long-term reign of Bob Bentley over racing in Queensland. I table a letter from the minister to Queensland Harness Racing, blatantly threatening them to agree to the amalgamation proposal or face 'new funding arrangements' which will be forced on their industry.

Tabled paper: Letter, dated 5 February 2010, from the Minister for Tourism and Fair Trading to the Chairman, Queensland Harness Racing Ltd regarding the establishment of one racing control body to administer the three codes of racing in Queensland [1712].

The minister is crystal clear in his blackmail attempt on Harness Racing, saying that if they did not follow his wishes they would lose operating funding and get no capital injection from the supposed extra funding from Treasury. Harness Racing have the minister's gun at their heads, so of course they will be forced to agree to the detrimental proposal for the future of harness racing in Queensland.

This is not about the betterment of racing in Queensland; this is about extending the unfettered reign of Bob Bentley, the Labor Party fall guy for all of the government's woes in all three racing codes. The Labor Party is happy for Bentley to take the blame for its lack of funding to all three racing codes in its neglect of the racing industry in Queensland. When Bentley takes the heat, Minister Lawlor hides meekly away, hoping industry woes will not create a voter backlash for the Labor Party.

Bentley tried to extend his long-term dictatorship over Queensland racing for several more years when racing was under Treasurer Andrew Fraser. But his undemocratic proposal was even too hot for the Labor Party under fire for jobs for Labor mates. So Bentley came up with this new scheme to extend his unelected reign over racing in Queensland for another five years without any consultation with industry, any public disclosure of the terms and benefits of the amalgamation, or any quantification of the projects he will deem worthy of expenditure of the new-found industry's money at Bentley's discretion. If the government has extra money for the racing, trotting and greyhound industries, it should commit it now to the current boards for immediate injection as part of a very worthy stimulus package to racing.

(Time expired)

Year of the Girl Guide

Ms STONE (Springwood—ALP) (11.49 am): 2010 is the Year of the Girl Guide and will mark the centenary of the girl guiding movement. For 100 years the guiding movement has supported girls to grow into confident, inspiring young women by tackling the issues of the day, teaching important life skills and building their self-esteem and confidence to take on anything they choose in their life.

Each year thousands of girls and young women are actively involved in guiding through the hard work of volunteers. It is considered to be the largest worldwide voluntary organisation for girls. I am pleased to inform the House that, in their centenary year, I will host with Guides Queensland a 'Woman of Substance' high tea at Parliament House on Friday, 19 February. Women of Substance, or WofS as it is often referred to, is a group of women who support Guides Queensland in its mission to help girls and young women grow into confident, self-respecting, responsible community members. A WofS member may be a professional woman who has given excellent service to her profession, been one of the first in her field, or excelled in some way related to her work purely by her efforts and merit. She may be a voluntary worker who has given excellent service to the community.

WofS and guides are about assisting girls and young women in guiding and the wider community to develop their self-confidence, leadership and decision-making abilities. Today women from all walks of life have a much more significant role in business. WofS and guides are encouraging young women to put up their hand to go on boards and take on positions that were once male dominated. They mentor young women to develop their decision on a chosen career path, and provide encouragement and advice.

The Hon. Judy Spence and I are looking forward to meeting some very inspiring women at that high tea, and I thank all those involved with its organisation. It is an exciting time for guides throughout Australia as they come together to reflect on memories of the past and their history—history they helped to create. They will certainly be living their motto, 'Let's celebrate our past, live the present and power into the future.' Guides have changed the lives of millions of girls over the last hundred years, and today they are paving the way for the next 100 years.

Flying Foxes

Mr KNUTH (Dalrymple—LNP) (11.51 am): Last Friday at the Charters Towers Hospital a rescue helicopter aborted a landing after a colony of bats inundated its flight path. The helicopter was attempting to retrieve a patient from transfer to the Townsville Hospital. While local Charters Towers residents were not surprised to hear about the incident, the climate change and sustainability minister set the perception of being astonished that she was not informed that bats were in close vicinity of the hospital.

I say to the minister that this problem is not new. For eight years we have put up with this scourge. For six years I have continued to bring this issue to the parliament. These creatures have been living and roosting among residents year in and year out. The minister needs to comprehend that bats do not differentiate between the airspace surrounding hospitals and that surrounding homes or parklands while roosting. They do not articulate, 'This is a local hospital with sick patients; let's flap somewhere else.'

While I acknowledge and appreciate the minister's announcement to visit Charters Towers to look at this problem and the minister arranging for her department to enter into dialogue with council, unless assertive action is taken, such as previous bat removal resolutions by the government, it will be a complete waste of time and resources. The people of Charters Towers want action, not make-believe spin and jargon where previous permits only allowed councils to make noises for two hours in the early hours of the morning and then were forced to discontinue, all in the name of preventing the bats from stressing out. All this achieves is high cost, stressed residents and bats who return to roosting sites.

I call on the minister to acknowledge that the mitigation permits issued by the government are useless, costly and ineffective. The effective means of removal in areas like Charters Towers to resolve this problem is removal by helicopter repeatedly until bats are completely driven on. Bats carry a lethal virus that have killed people. Residents—the sick, the frail, the elderly and children—should not have to put up with this infliction. If all else fails to protect residents, then culling needs to be examined.

(Time expired)

Warrego Highway

Mr WENDT (Ipswich West—ALP) (11.53 am): I want to bring the House up to date on recent improvements to the Warrego Highway, specifically through the Ipswich area. As everyone in the chamber would be aware, the Warrego Highway is the gateway for much of Queensland's mineral, vegetable, grain crop and livestock produce to our major ports and markets here in South-East Queensland. As such, it is imperative that this highway continues to operate to maximum capacity with a view to ensuring that traffic is allowed to flow and disruption is kept to a minimum.

This highway is part of the National Highway system and, as such, the federal government has historically been responsible for its upkeep and maintenance. Unfortunately, as we all know, much of this responsibility has been abrogated over the past 15 years or so, with little to no money having been spent on this major artery. Fortunately, the election of the Labor federal government saw a major shift in its role as to the continued improvements of this highway. I can report that in recent times the federal government has spent over \$25 million along this section of the highway on resurfacing, guardrail and safety improvements, new slip roads, line markings, lighting—and the list goes on. I should also mention that the local federal member, the member for Blair, Shayne Neumann, has been instrumental in getting that funding.

Because maintenance and safety works were allowed to slip for so many years, I can report that the state has also had to come to the funding party. With this in mind, I want to specifically alert the House to this unusual arrangement and also, importantly, to the opening of a new extension to the Brisbane Valley Highway turn-off lanes at the intersection of the Warrego Highway and the Brisbane Valley Highway. For those who are not aware, that is called the Blacksoil interchange. This work is long overdue and will help alleviate some of the very busy times, particularly in the afternoons and mornings, until funding is made available for the ultimate solution, which would be a large flyover.

This is not the only work the state is planning along this stretch of highway. I can report that I held a public meeting with the local community at Minden a couple of weeks ago to discuss much-needed safety improvements at this notorious crossroad. Mr Deputy Speaker, as you can see, the state government is certainly getting on with the job and benefiting Queensland.

(Time expired)

Kunda Park Asphalt Plant

Mr DICKSON (Buderim—LNP) (11.55 am): Recently the environmental health policy and research division of Queensland Health issued a full air quality assessment for a proposed asphalt plant at Kunda Park, in my electorate. My understanding is that the air quality report has not been made publicly available. I call on the Minister for Health to ensure that it is made public before the decision to approve this plant is voted on by the Sunshine Coast Regional Council. If the council approves this noxious development, it will be ignoring the senior citizens of this newly approved retirement village, located within 700 metres of the site. It will be ignoring the health of many workers in businesses in the local area. It will also be ignoring the 1,000 residents who submitted objections to this plant on health grounds. These are residents who live around Kunda Park, which has never seen industry of this type before. Some 3,500 people have signed a petition to this parliament to stop this plant going ahead. Most of all, the council will be ignoring the thousands of children who play soccer and other sports a little over half a kilometre away.

The grounds adjacent to Kunda Park are one of the major sporting facilities on the coast. Years ago Kunda Park may have been suited to this type of industry, but not today when we know the effects of chemicals like benzene, lead and mercury, to name just a few of the chemicals that are pumped into the air from plants like these. I can only compare this development to a 25-metre long cigarette burning 24 hours a day, seven days a week. I ask the members of this House: would they accept this in their electorates? I ask the minister to please let the people know the truth about this report, as I am sure it will clear the air.

This has been going on for quite some time. It used to be an industrial area, which is expected to have light industry. They make pies in this area and they collect water off the roof. I am sure the environment minister would be very keen, with a policy that will be put before this House in the not-too-distant future, to stop developments like this. If it happens now, it is a hell of a mistake that will be on the head of this government and the local authorities. We have the opportunity to stop it. Let us look after the people of Queensland; let us not poison them.

Mount Isa Electorate, Mines

Mrs KIERNAN (Mount Isa—ALP) (11.57 am): Last year a number of mines in my electorate discharged excessive amounts of contaminated water during a record wet season. This was an event that concerned people in the north-west region, particularly pastoralists, Indigenous and environmental groups, and the mining industry. I would like to acknowledge the climate change and sustainability

minister and other ministers for taking an active interest in this issue. The state government has worked hard with my communities to respond to the discharges from mine sites and to prepare sites for this wet season.

Officers conducted more than 40 inspections of 22 mines in the past six months alone. A number of statutory orders have been issued to get mines to improve their water management and prevent contaminated overflows recurring. Most mines have cooperated well and continue to work with all stakeholders. However, there has been evidence of serious breaches of the Environmental Protection Act. Late last year charges were laid against two mines in the region. MMG Century Ltd was charged with causing serious environmental harm. Birla Mount Gordon was charged with breaching a court order requiring rehabilitation.

Today I am advised that two more mines have been charged. The Lady Annie mine has been charged with causing serious environmental harm during the 2009 wet season. In addition, the department has commenced a prosecution against the Great Australia mine for causing serious environmental harm in May 2009. Discharges and breaches at other mines are being investigated.

Whilst I am advised the overall sites are better prepared this wet season, having collectively spent many millions of dollars conducting creek clean-ups and improving water management, there is still a need for further improvements. I will make sure that the government continues to work with mines and other stakeholders during 2010 to ensure that any required works are implemented to further reduce risk.

(Time expired)

Child Protection

Mrs PRATT (Nanango—Ind) (12.00 pm): Two under-age girls ran away from home. The first was 15. She objected to the house rules and regulations. After considerable effort, the mother found her living with a 20-year-old male, a known illicit drug user with a police record. Distraught, the mother reported the child to Child Safety as being at risk and was told to negotiate with the child because there was nothing that Child Safety could do. She turned to the police, but they could do nothing but visit the home where the girl was living and get her to ring her parents. A doctor contacted the police and the child protection agency on the parents' behalf with the same result. No-one could do anything.

The child, a minor, became pregnant. The baby died in utero. She attended the Royal Brisbane Hospital emergency department and underwent surgery. This minor's parents' permission was never sought; nor were they informed. The hospital has been instructed to inform authorities when a child presents with bruises or injuries which might indicate child abuse. Why was this under-age pregnancy, this abuse of a minor by a 20-year-old, not reported? The parents asked for their child to be discharged into their care. Without notifying the parents the child was discharged into the care of the 20-year-old who had impregnated her and introduced her to drugs.

The minister wrote that Child Safety could only act in cases where there was no parent willing or able to care for them. The parents in this case were both willing and able to care for the child. The police were unable to substantiate to a criminal standard of proof any offences committed against the child. The child was under 15 and she was pregnant. Surely that is an offence.

The second child, aged 13, went to live with a 20-year-old who also was reported to be having a sexual relationship with her. He lived with his father and therefore the department considered the child was not at risk. Section 215 of the Criminal Code states that a person who has or attempts to have unlawful carnal knowledge with or of a child under the age of 16 is guilty of an indictable offence. The offender is liable to imprisonment for 14 years.

These 20-year-olds engaged in sexual activities with 13- and 15-year-old girls. That is a crime, but nobody who had the power used it to assist the parents to protect the children. I am told that unless the children themselves lodge a complaint there is inconclusive evidence. A child was conceived. Surely that is evidence.

(Time expired)

Mr DEPUTY SPEAKER (Mr Ryan): Order! The time for private members' statements has expired.

SURROGACY BILL

FAMILY (SURROGACY) BILL

Second Reading (Cognate Debate)

Surrogacy Bill resumed from 26 November 2009 (see p. 3669), on motion of Mr Dick, and Family (Surrogacy) Bill resumed from 11 November 2009 (see p. 3260), on motion of Mr Springborg—

That the bills be now read a second time.

Mr SPRINGBORG (Southern Downs—LNP) (Deputy Leader of the Opposition) (12.02 pm): During the course of my contribution today I will generally concentrate on the government's Surrogacy Bill which has been introduced into this House. I will also talk about some of the differences between the government's bill and the almost identical bill which I introduced into the parliament just before the Attorney-General introduced his bill. There are a couple of key differences. One of those relates to who is eligible to actually have a child under a surrogacy arrangement.

I think the way the government has brought this legislation before the parliament is deceptive. The way the current Premier went about putting in place the all-party committee to look at the issue of non-commercial surrogacy in Queensland was extremely deceptive. If we look at what happened at the time, we see that the government and the Premier talked about those men and women who have difficulty in conceiving a child. If I remember rightly, they talked about the case of current federal minister Stephen Conroy who, with his partner, I understand, conceived a child in this particular way.

It was not until much later that the whole notion of family and changing the way that families operate came into this process. That is where Labor's loopy, loony, lefty ideas really started to come to the fore. This is some sort of pay-off for those members of the Left who were concerned about the government not going far enough on the likes of abortion reform in Queensland. They got their quid pro quo with some loopy, loony, lefty position when it comes to parenting in Queensland.

Let us look at what the Family Council of Queensland said this morning in an open letter to state MPs. It said—

The Bill—

the Surrogacy Bill 2009—

should have been about altruistic surrogacy—

that is, non-commercial surrogacy—

as a 'last resort' for an infertile couple. But no, under that respectable cloak this bill smuggles in an oppressive proposal to deprive children of their birthright—their fundamental right to enter the world, as all of us did, with both a mother and a father.

By what authority does any government permit adults to deny a child her primal right and most profound emotional need: to have both a Mum and a Dad in her life?

It goes on further to say that under this bill a homosexual couple can arrange to bring a baby girl into the world with the full intention of denying that child even the possibility of a mother in her life. The bill will help a single woman to obtain a surrogate baby boy, condemning that baby to live without even the possibility of a father.

We know that in the community relationships are not absolutely ideal. We know that in the community certain circumstances happen. We also know that in the community there have been same-sex people, principally lesbian women, who have taken the opportunity to have a child. That has been a case of them utilising the opportunities open to them. There is a big difference between that and the state actually legislating to allow it to be part of acceptable families in Queensland.

If members do not believe what I am saying, they should look at the results of a Galaxy poll taken towards the end of last year. They asked Australians what they thought the ideal family model was. I am talking about the ideal model. Keeping in mind what I said before—that is, we do not live in a perfect world—certainly the state should not be intruding into constructing families which it knows will deny a child what is basically a natural birthright.

That Galaxy poll from November 2009 basically found that 86 per cent of Australians believe that ideally, wherever possible, children should be raised by their biological mother and biological father. That is what 86 per cent of Australians actually say. That is what 86 per cent of Australians actually believe. Unashamedly, I actually believe that. I believe that a lot of grassroots Labor supporters actually believe that.

When we entered into the whole business of altruistic surrogacy and the LNP participated in that committee, we did so in good faith. At the time it was very much couched in the notion of being extremely limited—limited for medical purposes. There was no mention whatsoever of the social desires of those people who, for all intents and purposes, cannot have children without that sort of intervention. We have seen a situation where this government has actively deceived. Incrementally it has imposed its own standards on this parliament.

I will draw a contrast. Can members imagine if the conservatives came into this parliament and sought to bring in some of its moral views and values which were opposed by 86 per cent of Australians? People on the Labor side would be standing up saying, 'What right have you got to do that?' That is exactly what the Labor Party is doing. It is imposing on this parliament its loopy, loony, lefty ideas and notions of family. That is what it is doing today. It is doing so without shame.

The Labor Party never took this to the people of Queensland. It is something that was not mentioned when the committee was established. If this were open, if this were an election policy, if this were an election platform and if this were an election promise then the government would have done it by now. It actually hid this particular issue from the people of Queensland to its eternal shame.

We will be opposing the government's bill. We will be opposing the government bill absolutely categorically when it comes to those components of it. Those components unfortunately contaminate something that should be given the worthwhile consideration of this parliament—that is, non-commercial surrogacy in the way that it was originally couched and that was in limited terms for medical reasons and not for social reasons.

Unfortunately, other reasonable concepts, including the right of same-sex parents—principally women—who have conceived a child using IVF and who wish to have a guardian recognition of that child, have also been tied up in this legislation. That issue should have been dealt with very separately, and there is a justifiable right for those people to have that recognition because those children are out there and those family relationships already exist. But the LNP will not—absolutely will not—be supporting this bill because it is a contamination with the same-sex notions which the Labor Party has put in here. It is not only same-sex notions; it is also now opening surrogacy for singles. We know full well that children do better in an environment where they have a mum and a dad. We know that. We know that sometimes there is a relationship breakdown, but ideally we know what the majority of Australians are saying. Some 86 per cent of Australians say that children should ideally be in a world with a mum and a dad to care for them.

However, this parliament is seeking to legislate some sort of socialist ideology that says, 'We will deliberately facilitate single-parent families. We will deliberately facilitate same-sex families.' That is not what the people of Queensland and the people of Australia have been demanding as their principal first priority. Let us take the education system, which is struggling to attract male mentors into schools to help children who do not have a father figure. Similarly, female teachers are mentors for those children from home environments where there is not a mother figure as well. That is very important and goes to the basic primordial instincts that are a part of being a human being and a part of where we come from, and I will mention more about that later.

Our paramount consideration should be the child. I know what the government has done. The government has tried to couch this in the terms that this is all about the child. This is not all about the child. This is about the desire of adults. As I say, this is not about the child; this is about the desire of adults. There are different desires for those adults. Some of them—heterosexual couples who are either de facto or married—may have been trying to have children for some time and for a medical or genetic reason they cannot have a child and they might not be able to adopt a child. That is a very clear medical reason for that situation to happen. However, now it is a broad social qualification as well for those people who, because of lifestyle, would not normally expect to have a child. With this legislation, they can say, 'Okay, we're going to do that.' We have basically now got designer families. This is about designer families and this is about satisfying the desires of adults. This is not about the children. The government can couch it whichever way it wants: this is not about the child; this is about the desires of adults to have a child when they would not otherwise expect to be able to have a child because it would be impossible because they are single or in a same-sex relationship.

It is very important that we look at what the committee said, and there are a number of things in its report where there has been a significant departure from the platform which was laid down for the committee to consider and also some potential verballing of the members who may have been on the committee. Page 65 of the committee's report states—

The committee notes this criterion was an area of debate amongst members. Some members preferred to see heterosexual couples as intending parents. They believed that the nuclear family headed by a mother and father represented the ideal circumstance in which to raise a child.

I just so happen to believe that, and 86 per cent of Australians just so happen to believe that. Why, therefore, are we seeing Labor's social engineering and loopy leftie social policies now permeating this parliament? Because this is stealth. The Labor Party has tried to air its particular ethical views through the laundromat of a bipartisan parliamentary committee to get a particular outcome and then to extrapolate it even further.

Anyone who says that this is about homophobia is absolutely and completely wrong—absolutely and completely wrong—because you cannot couch this in the terms of someone's actual sexuality. This is not a mainstream issue. This is not a mainstream issue for the gay community, but unfortunately it is getting rolled into that. I know many a gay person who says, 'This is the lowest priority. This is not something that we actually believe in. Health and law and order and the same mainstream issues are

the things that are important to us.' It is also wrong to assume that because someone is in a heterosexual married couple they oppose gay adoption or gay surrogacy or gay marriage. It does not work like that. It comes back to what your own fundamental views and your own fundamental ethics are when it comes to these issues. So to try to wrap it up into some sort of debate like this is particularly cheap and actually denies what are the mainstream issues with regard to that particular community.

There is a fundamental difference between the Labor Party and the LNP when it comes to these views, and one that we do not support which the Labor Party does support is the notion of the state actively intervening and actually facilitating the notion of gay parenting through a surrogacy arrangement. Members have deep personal views and those views no doubt are going to be vented here during the course of today's debate, and so they should be. As I said, the whole issue of surrogacy and non-commercial surrogacy is something that should have been addressed in this parliament quite separate to this, because there has been an absolute contamination of it. I know that there are members on our side of the House who do not support the notion of surrogacy in any way whatsoever, and I know that there are members on the government side of the House who do not support the notion of surrogacy in any way whatsoever. But unfortunately because of the way that this bill has polarised other concepts which should never have crept into the surrogacy debate, that is not going to allow us to be able to vote in a way that delivers non-commercial surrogacy to those people who may desire it, who are in a heterosexual relationship, and as it was perceived when the Premier first mentioned the establishment of this committee only last year.

This morning I listened with interest to the Minister for Child Safety when he was asked a question about why the government maintains the ban on singles and same-sex couples adopting children under the Adoption Act in Queensland. Given that this minister was asked a similar question last year and could not provide an answer, I was most interested to hear what his answer was going to be this year. And can I tell you that it was an absolutely ridiculous answer that does not stand any iota of scrutiny. The minister stood in this parliament this morning and said, 'We put the ban on same-sex couples adopting children in Queensland because there are overseas countries that actually oppose same-sex adoption which provide children for adoption into Queensland.' The reason that that is an absolutely ridiculous argument is that many of those countries actually do not support de facto heterosexual couples being able to adopt either. So if this government was going to be totally consistent in what it put forward, then it would have had a ban on heterosexual de facto couples and same-sex de facto couples. So that argument does not even stand one iota of scrutiny.

What we have here is an absolute inconsistency from this government. It has on one hand a ban in the Adoption Act on same-sex couples and singles being able to adopt children, and yet when it comes to the Surrogacy Bill it has no ban on same-sex couples and singles being able to enter into a surrogacy arrangement. And now we see a construction from the Minister for Child Safety that the reason for that is that some overseas countries that supply children to Queensland in an adoption arrangement have an objection to same-sex parenting. Many of those same countries have an objection to de facto heterosexual couples adopting children as well. It is an inconsistent argument. The minister has had three months to fabricate it and has not done a very good job of fabricating that in any way whatsoever.

Mr REEVES: I rise to a point of order. I find those words offensive and I ask for them to be withdrawn.

Mr SPRINGBORG: I withdraw. The minister has had three months to come up with a much better explanation than that, yet he has not been able to come up with a much better explanation than that. We can see by what I have clearly demonstrated the absolute and utter inconsistency of this minister's argument.

I also have serious concerns about what is proposed in this legislation in that there does not have to be a clear genetic relationship between those people who are desiring to be parents under this arrangement and the surrogate mother. There are volumes of research around the place that indicate absolutely and clearly that, for the identity of that child and the stability of that child further down the track, wherever possible there should be a clear genetic relationship with that child. That comes back to the DNA that has been provided by those people who are going to be that child's parents. Clearly, there is a reason for that. As I said, it helps that person not only to discover but also to understand their identity and to ensure that surrogacy is a limited option—which it should be—for medical reasons, not for the social desires and mores and perceived rights of people who really would not be able to expect to have a child in a normal environment.

Another concern that I have really turns on some of the fundamental issues, concerns and difficulties that we have in Queensland with addressing this issue of commercial or non-commercial surrogacy. Page 5 of the explanatory notes, which the Attorney-General introduced into this parliament, states the following with regard to the enforceability of the agreement—

The Committee recommended that a surrogacy arrangement will not be legally enforceable. In discussing this approach, the Committee identified that the *"unenforceability of arrangements reflects the concern about the prospect of forced relinquishment and commoditisation of women and children"*.

So there is a fundamental concern about this arrangement. Even though it is a non-commercial arrangement, we are dealing with the social mores and desires of certain individuals and, therefore, it can be perceived that there is a commoditisation of women and children through this process. I think that is a very great difficulty because a woman is agreeing to carry a child on behalf of other people who desire to be that child's parents. Despite the amount of counselling that may go on beforehand, we do not know the maternal instinct that might develop within that woman as she goes through her pregnancy or even when she gives birth to that child. We know the extraordinary attachment that can develop in women through childbirth. It is a natural process for a mother. Of course, there is supposed to be a process of psychological assistance, evaluation and counselling to help and prepare for that detachment, but we have in the explanatory notes a clear identification that, despite that process, there can be some very serious issues with regard to the detachment of that woman from that child, whom she has carried for nine months, when she has to relinquish that child. At the end of the day, she may be happy to do that because of the nature of the arrangement, but we know that in some cases some women will not be happy to do it. The real concern that I have when I read that part of the explanatory notes is that children can become a commodity—not a commercial commodity but, for all intents and purposes, a commodity that meets the desires and the social mores of the adults in question.

I know that children have been born through surrogate arrangements, have a mum and a dad, live happily in families and probably have a clear understanding of their genetic relationship with their family and, therefore, have adjusted to their lifestyle. I am not saying that that cannot happen, but I am saying that, clearly, there are some real challenges in this process and there are some even greater challenges once you start to construct a totally different notion of family and once you start to write that notion into legislation.

I ask the Attorney-General: how many of those written and verbal submissions that were put before the committee came from people who were heterosexual couples or who were in a same-sex relationship or who were single and who were simply desiring to have children? I think it would be interesting to get an answer to that question so that it would give us some idea of how this process started and how this process concluded.

Page 65 of the committee's report gives a very clear indication of the concerns that people have about the stability of relationships. The report states—

Infertility and surrogacy are likely to be stressful for the parties concerned. Some submitters such as ANZICA, a former birth mother and a prospective intending parent believed that intending parents should be required to be in a stable relationship for at least two years.

I raise that issue because, as I understand it, under the Adoption Act there is a qualification criteria that prospective adoptive parents have to be in a relationship for at least two years. That is my understanding and, if I am wrong on that understanding, the Attorney-General will say so. If we are talking about bringing a child into the world and giving that child the best possible opportunity for stability, there needs to be a minimum time for which a couple's relationship has existed before they can enter into a surrogacy arrangement because that takes away this whole notion that people are going into this arrangement on a whim. If it is good enough to have that particular two-year provision in the Adoption Act before people can qualify to apply to adopt a child, why is it not good enough to have that in the surrogacy legislation? Surely, stability of relationships is extremely important. It is not just me saying it; academic experts went before the committee and said that there should be a qualification time before people can enter into a surrogacy arrangement.

While I am talking about stability and suitability, experts who came before the committee said that women should have completed having their families before they enter into a surrogacy arrangement or they should have had at least one child. If we think about it, there is probably a reason for that, and that is that that allows the woman in question to understand what having a child is about and what the likely detachment from that particular child is going to be.

Ms Grace interjected.

Mr SPRINGBORG: I hear the member for Brisbane Central prattling on. I am talking about people who are experts in this field. Page 67 of the report states—

The Western Australian draft standards and Sydney IVF require birth mothers to have at least one child. Some seventeen submitters also indicated that it was very desirable that a birth mother had children and where possible had completed her family. One of these submitters was ACCESS representing consumers of infertility services. Sandra Dill, CEO, wrote:

A woman acting as a surrogate ideally should have completed her family but at least have had one child of her own.

That is a woman writing that—someone who is involved in the field and somebody who understands these issues of fertility and infertility. It is not me saying that; it is me quoting people who understand and who are experts in their field. I think that is another reason we should doubt some of the provisions of this bill.

Once again, surrogacy should be a limited medical option. That was a view that came through time after time after time during the submission process and it was couched at the time the government set up the bipartisan committee to look at this issue. At the time, as the opposition leader, I said that we would enter into this particular arrangement in good faith, given what we knew at the time.

We now feel very deceived. There was no clear indication given at the time that there would be a departure from this criteria of medical option and it would become a social option just as much, if not more so. If one looks at the way the legislation is drafted I think that is very clear.

Another issue with the bill that concerns me is that the eligibility criteria for surrogacy very much discriminates against women. It probably discriminates more against women who are in a heterosexual relationship. A single person virtually automatically qualifies for social reasons if they can go through the counselling arrangements and find themselves a suitable surrogate mother. If two gay men desire to have a child, because it is medically impossible and socially desirable, they almost automatically qualify to have that particular child. But women have to go through a very, very difficult process. They have to basically open their whole life. They have to prove their medical infertility. They have to prove the genetic difficulties they would have in carrying that particular child. It puts a far greater onus on a woman to establish clear grounds for not being able to carry that child because of some medical or genetic issue. Yet when it comes to a single person or someone in a same-sex relationship, there is not that particular hurdle when it comes to qualification. Indeed, it can be argued that there is virtually an automatic social qualification in this process.

We do not know the long-term effects of surrogacy. We certainly know that there are people in Queensland, around Australia and overseas who have been conceived as a part of a surrogacy arrangement. We certainly know that many of those people are balanced people and do not seem to be exhibiting any particular emotional issues with regard to their attachment and their notion of family. However, in many cases those people who have entered into that arrangement have arisen from a heterosexual surrogacy arrangement. That is what we do know. We do know that in most of those cases the children can clearly identify a genetic or direct link between the people who are their parents and the person who has actually carried them. There is a clear genetic identification and a genetic link. That is something that certainly does help those people throughout their life.

I want to quote some further experts who have raised these issues. Ray Campbell from the Queensland Bioethics Centre quoted Professor Somerville, a PhD teaching at Monash University. She has argued that a child has a fundamental right to know and be reared within his or her biological family unless an exception is justified in the best interests of the child. Now, we are not talking about the best interests of the adult; we are talking about the best interests of the child. Biological origins are important for our identity. We actually know that. We went through that only last year when there was a significant debate on amendments to the Adoption Act that was introduced into Queensland. There was a very serious desire on the part of those people who had been denied access to their origin over a long period of time to actually find out who they are. As I understand it, under these surrogacy arrangements there will be a clear indication of the person who may have donated the material—the one who donated the egg, the one who donated the sperm, the one who actually carried the child. There can be up to five people on the child's birth certificate under this legislation. That is not to say there will not be some difficulties socially, ethically and psychologically further down the track as these particular arrangements become more and more entrenched as a consequence of this particular legislation which comes to this parliament today. Professor Somerville goes on to say—

If the State is to be involved in regulating surrogacy then it should limit surrogacy to those couples who can supply their own gametes i.e. the intending parents will be the genetic parents of the child. If not this, at least insist that the intending father be the biological father of the child ... and the surrogate mother be also the genetic mother.

Such a move would at least do something to prevent children later experiencing the 'genetic bewilderment' that children born of donor insemination have experienced.

That is person who is a PhD and who lectures in the field at Monash University.

Ms Grace interjected.

Mr SPRINGBORG: The member for Brisbane Central wants to let her own particular social mores and preferences stand ahead of somebody who has studied and reported on some of the genetic identification difficulties that children born today, even under IVF arrangements, have experienced in their own lives. That has been studied and it should be properly looked at and considered as a part of this debate. The professor goes on to say—

The present legislation seeks to redefine parenthood from being a biological reality to being a legal construct. It turns parenting into some kind of contract. Enshrined in law such a position undermines all families,

...

The present legislation also facilitates the denial of the child's right to a mother and a father—
and—

is disturbing and grossly unjust to the child.

Dr Wade Horn, someone who has also studied and is concerned in this particular area, states—

Children do best in life when they grow up with the active, positive involvement of both a mother and a father. Whatever the measure—physical, and emotional health, educational achievement, behavior, substance abuse, crime or delinquency—children are more likely to lead healthy, productive lives when both their mother and father are actively involved in their lives in positive ways.

Ms Grace interjected.

Mr SPRINGBORG: We have heard the prattling on from the member for Brisbane Central. She obviously did not listen to anything I said earlier. I know that we do not live in an ideal world. I know that there are situations where there are family breakdowns. People understand that. No-one has argued against that. I have not argued against that. There are bodies of research that caution against denying a child the right to that mother and father figure in their life. Those opposite are going the other way to legislate it, and that is where I have very serious concerns, notwithstanding the fact that there may be circumstances in which children are in loving environments to the contrary. These people are saying that this is the best situation. It happens in nature. It happens with humans. Children desire a mum and a dad. That is the simple reality. We should not be seeking to deny that.

Dr Robert Pollnitz, an Australian paediatrician, has said—

My views on this issue are shaped by over thirty years experience as a specialist doctor caring for children. Throughout this time I have observed that children develop best, both physically and emotionally, when they are reared in a stable heterosexual two-parent family. Without criticising single parents or making judgements about people's situations or experiences, when families fracture we see large increases in health problems, emotional imbalances, learning disorders ...

And it goes on. That is what a paediatrician is saying. Why would we come into this place and actively facilitate something that might cause some issues?

Again I say that we do not live in an ideal world. I never said that we did, but we have paediatric specialists and academic experts who are saying that this is a concern. No doubt we will have members on the other side stand up and say that it is not a problem. They can quote their people, and I am going to quote what these people who are experienced in their field are saying. A University of Florida paper titled *The Hidden Benefits of Being an Involved Father*, revised in 2009, states—

Fathers are important because they help to teach children values and lessons in solving the problems they may face. Fathers also serve as role models ... affecting how well their children relate to peers and adults outside the home.

It goes on—

... having both parents involved in rearing their child has some obvious, and ... not-so-obvious, benefits ...

There is a huge volume of research that actually indicates to us what is probably best for children in many circumstances. That is notwithstanding the fact that people may choose other lifestyles and that there have been relationship breakdowns. I come back to the point: if there was not a problem then why is the government so desperate to recruit male teachers in our schools to provide positive role models? One of the fundamental issues is the notion of family. One of the fundamental flaws in this legislation is that children deserve the right to start life with a mum and a dad.

Another problem with the legislation is that there is no upper age limit. We should seriously look at an upper age limit when looking at surrogacy in Queensland. At what age can somebody apply to go into a surrogacy arrangement? Can they be 60 or 70? That needs to be established. I understand that the Queensland Adoption Act does not provide an upper age limit either. There is probably a reason for that. For example, grandparents may wish to adopt their grandchild. However, a surrogacy arrangement is a different arrangement. We are concerned at the thought of bringing children into a world through a surrogacy arrangement when there is no age limit on the person who is proposing to qualify for that arrangement.

The legislation does not provide an enforceability provision, which is probably right. We know full well the deep emotional connection that a woman may develop with a child as she goes through the gestation period. There is enforceability if a mother decides to keep the child and has accepted the costs of the pregnancy and birth of the child. That is probably right if the people who were going to assume the role of parents of the child paid for the costs of the pregnancy and then the woman decides to keep the child. In that case there should be some degree of enforceability with regards to the recovery of reasonable costs. However, at the other end there should not be enforceability because people can develop a deep emotional attachment, particularly as the maternal instinct kicks in.

We believe that this matter should be resolved in the Supreme Court of Queensland. We do not believe that it should be resolved in the District Court of Queensland. The Supreme Court is the supreme court. It is a higher jurisdiction. I understand that originally this matter and matters of parenting orders were to be resolved in the Supreme Court of Queensland. The LNP supports that.

I conclude on this point: I support the notion of the guardianship arrangement that provides certainty, particularly to women in same-sex relationships who had their children through an IVF arrangement, and there are many in our communities. I think that is reasonable.

A government member: It is all in the bill.

Mr SPRINGBORG: The bill is so contaminated by your loopy, loony, leftie policies that it is absolutely impossible to support it. If members opposite disaggregate the bill and take those particular sections out, we will support that section. We will support noncommercial surrogacy for heterosexual couples, but we are not going to support something that is so utterly and completely contaminated. To take the reasonable desires of same-sex women who have a child to have a guardianship right or a parenting right recognised and to roll that into such a controversial debate is really asking for trouble. Unfortunately, because of the way that this legislation has been written, it denies them our support in this parliament.

Ms Grace: Any excuse; any excuse.

Mr SPRINGBORG: Haven't we heard some prattling on? If the government was serious about this, it should have taken it to the people of Queensland. It should have had a debate with the people of Queensland. It should have been clear and up front about this issue, and not tried to cloak legislation about noncommercial surrogacy with all sorts of other matters that only now are starting to come to the fore in Queensland. The LNP will not be supporting this bill. There are worthy components of it, but unfortunately it is contaminated with elements that are philosophically against what we on this side support and that may be philosophically in line with what those opposite support. Certainly, this subject needs to be ventilated more openly and publicly. It has been completely inconsistent with its application, as we saw through the Queensland Adoption Act only last year. That is the position of the LNP. We will not be supporting this legislation. We do not support this sort of social engineering and, indeed, it was not envisaged when the bipartisan committee was established in the past 12 to 18 months.

Ms DARLING (Sandgate—ALP) (12.44 pm): I rise to make a brief contribution to the Surrogacy Bill debate. I will be supporting the government's bill and rejecting the opposition's bill and I would like to make my reasons for this clear. I was honoured to be a member of the parliamentary Investigation into Altruistic Surrogacy Committee. My fellow committee members from both sides of this parliament understand the complexities of any process to decriminalise altruistic surrogacy. We all agreed on this point: any couple who enters into a surrogacy agreement altruistically does not deserve a criminal sanction. We all agreed on another point: the welfare of the child is paramount.

Sadly, having listened to the speech of the first speaker, the Deputy Leader of the Opposition, this debate is going to turn to categorising who is and who is not deemed to be a suitable parent. I would argue that judging suitability to be a parent is not something within the power of this parliament. The only exception is where the child is a ward of the state and that argument has been clearly articulated by the Attorney-General. We can give social advice and we can give health advice, but every day in Queensland people decide to become and do become parents with absolutely no thought or reference to the feelings of politicians. In fact, thinking of your local politician may prove to be a very effective contraceptive.

When parents are not doing the right thing by their child, protection measures are rightly expected by the community, implemented by this parliament and enacted by appropriately skilled public servants. Today, I debate what I believe is within the jurisdiction of this parliament's powers, that is, protecting the rights of the child. No child should be robbed of identity or legal rights because of the manner in which their parents chose to bring them into this world. Those children and those born of same-sex couples or of a single parent deserve appropriate protection under the law. They deserve the sort of protection afforded to any other child born in this state.

I reject any argument that providing legal protection for those children will encourage more people to enter surrogacy arrangements. As a member of the select committee, I heard the stories of so many couples keen to start a family. Altruistic surrogacy was really their last resort. They had put much time and very detailed consideration into the decision to investigate altruistic surrogacy options. Those couples know that altruistic surrogacy is legal in other states, but they want to start their families here in Queensland, surrounded by their support networks of family and friends. It is quite simple: whether or not you agree with the lifestyle choices of people entering into altruistic surrogacy—and I think it is nobody's business anyway—children will continue to be conceived in this way and it is our responsibility to protect them.

I sincerely thank the many constituents who contacted me to respectfully pass on their views on these new surrogacy laws. The opinions were many and varied. I appreciated receiving all those views to help me with my deliberations. I do respect the views of the different churches in my area and I encourage them all to provide loving advice to any member of their community considering altruistic surrogacy. I believe the church has an important role to support and guide the members of their church community. I know that people who feel burdened by an inability to have children by other means really need the counselling of others of similar belief.

However, I hold strongly the view that the role of legislators is to draft laws that uphold community safety and protect the most vulnerable members of society, to provide legal certainty for all families in Queensland and to respect those personal and religious beliefs that do no harm to others. The parliamentary committee recommended the decriminalisation of altruistic surrogacy and I support the government's response to the committee's report.

Mr HOPPER (Condamine—LNP) (12.49 pm): In rising to make a contribution to this debate, I acknowledge the speech of the shadow minister. Children are the life and heartbeat of every family. I am a very proud father of three children. Those children were conceived in wedlock and we are very proud of the fact that we have given those children a wonderful life. My youngest child is 18 years old. If any of my children decide to hop on an aeroplane and fly to the other side of the world, I know that we have given them a decent family upbringing. We gave them a stable and solid family because we chose to do so.

This debate is about the protection of children. It is not about the will of an adult. At all times we must put children first. This bill is not about the protection of adults. We have to give kids a good start in life. We all had that opportunity and we all have that responsibility. If we bring a child into this world, it is our responsibility to give that child the ultimate start in life. It is our responsibility to see that child through to adulthood. It is imperative that every child is raised in a nurturing family. Every child deserves the right to have a mother and a father, not two mothers. Every child deserves a solid family home. My definition of a family is a father and a mother and children.

Under the Family (Surrogacy) Bill 2009 put forward by the LNP, it would be illegal for homosexual couples and singles to go through this program. We make that point very, very clear. It is not our right to put a child in that situation. How dare we use our position in this chamber to bring in a law to allow that to happen? It disgusts me. Children are not pets; children are human beings. We are talking about human beings. Any parent in this chamber who has enjoyed watching the development of their child knows that there is no greater blessing. There is no greater responsibility that can be put on us as human beings than to bring another human being into the world and to create the right environment to raise that human being.

The LNP's bill only allows married couples and heterosexual couples who have been together for at least two years—so they can prove that they have a stable relationship and that they are capable of raising a child—to become part of this program. The criminalising of surrogacy and same-sex parenting is an improper link in this discussion. This is not about prejudice or arguing about same-sex couples wanting to become parents; this is about the rights of the child.

Gay people may make a choice about their sexual preference and lifestyle. Children rely on us to make choices for them. That is the whole gist of this: children rely on us to make choices for them. What this government wants to do is serve the best interests of the adults—in this case homosexual couples—before the best interests of the child have been served. The focus needs to be on the rights of the child first.

A child is born dependent and innocent of choice, relying on us to help them grow and develop so that they can make their own choices. Do we want to look into the face of a child and say, 'We supported this legislation that made it possible for you to be conceived not because you were wanted by your biological mother or father but because you were useful to someone else'? As our deputy leader said, what impact will this have in years to come? No-one knows the psychological effect that this may have on all people involved—the fact that they were conceived in order to be given away to a homosexual couple and we made them face yet one more challenge and more confusion as they struggle to understand why they were deliberately made to grow up in this situation that has no biological reality. It has no biological reality, yet that child was put into that situation as though they were conceived naturally.

Blatant disrespect for a child's dignity regarding their origin and family culture and for the personal identity of children in the future are problems that we will have to bear responsibility for through our national health system. This government is creating a legal path completely divorced from moral and ethical responsibility. The LNP challenges this government to raise the standard and make it clear that in this country we respect the dignity of those people whom we represent in parliament, especially those whose voices are not able to be heard—and that is the children of this state, the children that we bring into the world.

One who stands in the place of a child's parent, either voluntarily by virtue of a court appointed status, but who is not their parent assumes all the rights, duties and responsibilities of the child's parent. Parents are significant role models and shapers of children's values and beliefs. I accept that same-sex couples may choose to live together in ways different from others, but I do not accept the exploitation of children, assuming them to be a commodity which may be used by same-sex couples so that they can feel good. Parenting is a privilege which may happen in one's lifetime; it is not a right. A child, legitimate or illegitimate, always has a biological mother. A child, legitimate or illegitimate, always has a biological father. There has to be a logical reason for this reality—a child needs both to fully develop.

The Australian Family Association has expressed strong concern regarding this issue of surrogacy. Some people have said that it is a form of child abuse to bring a child deliberately into the world without a mother and father. Spokesman Bill Muehlenberg said—

Every child has a right to its own mother and father, not two dads, not two mothers and not a committee.

...

We wouldn't deliberately bring a child into this world and deliberately lop off its arms and its legs which is what we are doing with these kinds of (surrogacy) arrangements.

A spokesman for the Catholic Church, Les Tomlinson, was also critical. An article states—

"Such ways of procuring offspring are stepping outside the natural order," he said. Depriving a child of a mother and father, he said, could "impair the psychological and emotional growth" of such a child and contribute to dysfunction later.

This government is pushing for surrogacy to be accepted for many reasons. One of them is so that same-sex couples can feel good, to gain popularity, and in doing so reduce children to the status of pets which can be acquired for our comfort and pleasure. The ethics here are totally wrong.

My office has been inundated by emails about this. I cannot find an email—that goes against the moral stand of many of the emails that are being sent to my office. I have had many, many church people contact me. There are many people out there who are ropeable that the Queensland people have elected a government that is putting a law in place without debate and using its stealth to overrule the majority of Queenslanders to bring in legislation that can affect young people and put them in a situation which is totally false. I will simply not agree with this bill.

Let us look at the first five years of a child's life. How would it be if a little boy had two mothers? How do they take him to a public toilet when they go on a so-called family outing? They will have to go to the ladies toilet, won't they?

Government members interjected.

Mr HOPPER: They are not going to let a little boy go into a male toilet. We have listened to members up the back squawk all day. This is the sort of situation that the members over there have not even thought of. They have not even thought of that. What about the realistic point of view of a father having input into a little boy's life? Where is he going to find that—from his soccer coach, from his scout leader, from his schoolteacher? They say that a child learns most in the first four years of their life—that is, at home with mum and dad in a family atmosphere. That is exactly with the LNP is on about. How dare we try to break down the morals of a family by agreeing to this legislation? I cannot support this bill in this House today.

Sitting suspended from 12.59 pm to 2.30 pm.

Hon. AM BLIGH (South Brisbane—ALP) (Premier and Minister for the Arts) (2.30 pm): I rise to speak in support of the Surrogacy Bill 2009. In doing so, I acknowledge that in this House, as in the community, there are strongly held and very diverse views about some of the issues raised in this bill. It was precisely because I understood some of the moral questions that would arise in the regulation of this issue that I referred it to a joint bipartisan parliamentary committee.

At the outset of my comments on this bill, I take the opportunity to thank all of the members of the Investigation into Altruistic Surrogacy Select Committee for their very comprehensive consideration of this issue, which has formed the basis of the government's Surrogacy Bill 2009. I particularly thank Linda Lavarch, who is no longer a member of this House. I think everybody on both sides would recognise that she is somebody who had a great eye for detail, and who worked diligently on this issue particularly and demonstrated great leadership of the committee.

As the only state in Australia where altruistic surrogacy is a criminal offence, Queensland is in a unique position. We are not the only state that has grappled with these issues in recent times, but we are the only state which currently makes—and, in fact, has ever made—altruistic surrogacy a criminal offence. Since those days—I think it was in the early 1990s—when altruistic surrogacy was criminalised in Queensland, technology, medical practice and social expectations have changed substantially but our legislation has not.

I first came across this issue when I became the minister for families in 1998. In my first term in the first Beattie cabinet I had responsibility for the current surrogacy legislation. I had a number of letters come to me from Queenslanders about their experience of childlessness and their experiences with medical practice and the pain and suffering that they and their families had endured.

I have continued throughout the period since 1998 to receive letters from time to time, as I know other members of the House have, about this issue and the sorts of circumstances that arise, leading people to consider what is, I think, a very difficult choice of surrogacy. I want to put on the record one such letter, because for me it captures what drove my thinking in this area and is what I think others should turn their mind to in considering this issue. This email comes from a Brisbane woman, Kirsty. I want to thank Kirsty for giving me her permission to share her story with the House today. Her email states—

Dear Premier of Queensland ...

I am writing this letter to you, in the hope that my husband and I can get some advice and maybe some new hope on the surrogacy issue. Just so you know why this is such an important issue to us, I will tell you what we have been through.

My name is Kirsty ... and I am 31 years old. My husband Michael is 37. We have been married for 4 years and love each other as much as ever.

We first started trying to start a family in late 2006. But at only 8 weeks pregnant we lost our first child. Not letting this keep us down I fell pregnant again in 2007. While pregnant I ended up with a bad gall bladder problem and had to have it removed. After recovering from this we ran into trouble at 23 weeks. I was admitted to ... Hospital and the next day our son Cooper John was born into the world (20 weeks early). Unfortunately, the Hospital could not do anything to save Cooper due to his early arrival. The only thing Michael and I could do for our son was hold him until he had passed on. Coopers funeral was held days later in the same church that Michael and I were married in. I will never forget how I felt watching my husband carry our son outside in a coffin and knowing that we would never be able to watch him grow up.

Even though Michael and I were still grieving we went to our doctor to see what went wrong. Nothing came up, Cooper was a healthy boy, just born too early. We were told that there was no reason for this to happen again.

So once again I fell pregnant, everything was going well until I hit the 19 week mark. I was admitted back to ... Hospital. This time I was advised to have an operation in which a stitch was put in my cervix. This held for only two and a half weeks and our little girl Gemma Keely ... was born into the world (21 weeks early).

Again, Michael and I were back at the same church with our family. And again, I watched the man I love carry our daughter, our second child, out in a coffin.

Still not wanting to give up Michael and I were advised to see another Doctor. The Doctor that we saw ... came highly recommended ... Other than not having a family, our other choice was to have an operation called a TAC (Transabdominal Cerclage). We did a lot of research on this operation and everything that we had read appeared very positive on this procedure. Wanting Michael and I to be able to have a family more than anything, I had my TAC done in November 2008.

Feeling really good about what we had just undertaken, I fell pregnant in January 2009. Things were progressing well until a check up at 19 weeks showed that my cervix had started to open even with the TAC in place. I was told that I needed rest and could not go back to work ... Wanting to do whatever it took to have a healthy child I took holidays from work and had complete bed rest. Going for a check up every 2 weeks was the only time I went out. At just under 24 weeks I went for another check up and found that things were not good. I was admitted to ... Hospital.

The next night our daughter Brooke Gemma was born (19 weeks early). Every day we made the trip from Caboolture into the hospital just to spend as much as time as we could with our beautiful baby girl. But ... little Brooke lost the fight and Michael and I had to make the hardest decision of our lives, to turn off her life support.

...

For the 3rd time Michael, myself, our family and friends were back at the church. I watched Michael carry our daughter out, our third child in a coffin.

I have now been for my check up and have been told that I am unable to have children as I can't carry them to full term. Through everything that has happened Michael has stood by me and I wish, to one day, share with him the family we deserve. I always wanted to be married, have a good job and a family by the time I was 30. Not to have had 3 children and lost them all before my 31st Birthday.

Kirsty writes that she and Michael are willing to do whatever it takes after losing their children and they hope they will be able to watch others grow up happily. She continues—

I am sure you can understand our heartbreak and also our eagerness to ascertain further information which may help our dreams come true.

I know there are other members of this House who have received similar correspondence from other people who have gone through similar tragedies. I read that story out because I think it is important to understand what is driving people across our state to think about this issue. Surrogacy is a very big and difficult decision. I do not think anybody would enter into it lightly. But if you had been through the sorts of circumstances that Kirsty and Michael have, I think you can understand why any ordinary person faced with those circumstances would consider exactly this sort of possibility.

The last chance for Kirsty and Michael, and many others like them, to start a family is through a surrogacy arrangement. Medical technology now makes this procedure very possible, and it can be done under very well controlled circumstances. Kirsty and Michael's story, sadly, is not unique. Through decriminalisation, we can give people like Kirsty and Michael hope. But in decriminalising altruistic surrogacy we must ensure that the best interests of the child are paramount.

When we make a decision to decriminalise, we have to face a choice: either we decriminalise and leave the area completely unregulated on an open slather basis, or we put in place a framework to regulate how these arrangements can be put in place. Recommendation No. 4 of the all-party parliamentary committee was that the government should put in place a regulatory framework, and that is the basis on which the government has acted with this legislation.

Under the Surrogacy Bill a number of matters are regulated, as you would expect. No doctor is required to provide surrogacy services to anybody. Nobody is forced to enter into a surrogacy arrangement, and no birth mother can ever be forced to give up a child that she has carried. But regulation begs other questions, and they are complex questions to which there is no easy answer. The first question that you have to face when you decide to regulate in this area is who should have access to these services and who should be able to enter into them.

Again, the Investigation into Altruistic Surrogacy Committee recommended at recommendation 3 that the decriminalisation of altruistic surrogacy should occur, and there are no limits placed on that recommendation. It does not limit decriminalisation to only heterosexual couples but to all persons who wish to parent a child. Those who are having trouble coming to terms with this may not be aware of what is happening in Queensland right now in the area of assisted reproductive technology. Quite apart from surrogacy, which is currently criminalised in Queensland, as I stand here today in clinics across Queensland same-sex couples and single people are talking to their doctors, are undergoing procedures, using technology such as artificial insemination or IVF. They are using these services entirely legally and they are becoming parents. It is happening today. It is happening right now, I am prepared to suggest, in a doctor's surgery in one of our electorates.

The time for putting our heads in the sand on this issue has passed. I hear claims from those opposite that this is some loony, lefty, social engineering initiative. These procedures are being performed right now—today—on single women and on people in same-sex relationships and they are being performed perfectly legally in clinics by some of our most respected medical practitioners who are

making judgements about this every day. I have yet to hear a single cogent justification why same-sex couples or single people should be legally able to access medical artificial insemination or IVF but not surrogacy. All of these technologies use similar procedures. Under the alternative bill that is currently before the House, if it were passed we would end up with an absurd situation. It would mean that a single woman or a woman in a same-sex relationship with a perfectly functioning uterus could form a family through either artificial insemination or IVF. That is happening now. It is legal. Nothing will change. However, a single woman or a woman in a same-sex relationship who, like Kirsty, has some clinical reason why her uterus is either not intact or not healthy and functioning would be denied this particular form of technology.

In my view there is no policy rationale why single women and people in same-sex relationships can access that form of assisted reproductive technology but not this form. In fact, if those who oppose these parts of the bill have these sorts of objections, in all honesty they should come back into this parliament and introduce a bill to remove the discretion that doctors currently have to provide fertility treatment to people who are single or in same-sex relationships. I note that to date they have not done so, nor have they put forward any reason why some forms of technology should allow single people and same-sex couples to have a family but not other forms of technology.

There would be few people in this House—in fact, there would be few people in our society—who do not know at least one example of a single mother or a single father—single either by choice or by circumstance—who is not doing an absolutely outstanding job of bringing up their children. Many of us have single parents in our families. Certainly every one of us has single parents, male and female, in our electorates. I see those children being brought up in loving families, excelling at school, becoming school captains and making great contributions to our community. Maybe there are less of us who know of people being brought up in same-sex relationships. I certainly know children being brought up in same-sex relationships. I meet them in schools in my electorate. Their parents have come to see me in my electorate office. I know them from the child-care centres that my children attended. That may well be a reflection of the electorate that I represent, but I think there would be many other people in this parliament on both sides who are similarly aware of children who are being brought up in same-sex relationships who know that those children are certainly being looked after well; those children are being raised in a loving environment. This bill is about facing those realities.

Surrogacy arrangements will happen whether the law allows for the transfer of parentage or not, just as women in same-sex relationships will have children whether the law allows for both same-sex parents to be listed on the birth certificate or not. The first question that we face in putting together a regulatory framework is: who should be allowed? As I have outlined, I do not think there is any sound basis for ruling out people on the basis of their particular relationship circumstances. The second question is: if we go down the path of decriminalising surrogacy how do we then ensure adequate legal status for the children who are born in these sorts of arrangements? We have to make sure that our laws keep pace with technology and we have to recognise the legal position of the children who are born through these technologies. We need to understand that these children need to have their legal status secured and make arrangements for it. There are children being brought into the world in these circumstances right now and there have been for years.

The Deputy Leader of the Opposition and I agree on one point and that is that the best interests of the child are paramount and should be paramount in any legislation we pass. It is in the best interests of every Queensland child that they are treated equally under the law. This is a debate I think fundamentally about the human rights of children and their right to ensure that they have certainty around their legal status regardless of the circumstances in which they are born. Children do not choose the circumstances of their birth or the relationships of their parents. They should not be punished for the fact that their parents are in relationships that do not accord with the moral views of some people in our community. It is not children who should be punished because some people have strong views on the relationships chosen by those children's parents.

Queensland children deserve equality with their counterparts in a number of other states who, regardless of the circumstances of their birth, have the same legal rights whether they are born through natural conception, IVF, assisted reproductive technology or surrogacy arrangements and regardless of the parental relationships of their family. In Queensland right now children are being raised in loving and supportive families that simply are not being recognised by the law. It is the children in these families who are disadvantaged. It is the children in these families whose birth certificates are not a true reflection of their lives. They are not a reflection of who makes decisions about these children. They are not a reflection of who decides which schools these children attend, where these children will get medical treatment, who consents to their surgery, who makes their lunches and who reads them stories every day. Ask those children who their parents are and they will tell you. It may not be an answer that you want to hear, but they know the two people in their home who are bringing them up every day are their parents.

If the birth certificate is not changed to allow the people who are actually raising the child to be recognised in law, it leaves these decisions under a cloud of uncertainty and it leaves them open to challenge. We need to make sure that that is not the case for these children.

Regardless of the personal feelings that people may have on surrogacy or same-sex parenting or, indeed, single parenting, I have no doubt that everyone in this House believes that the children should be treated equally. If you believe that, in my view you have no choice but to vote for the government's bill. I understand there are many parts of this bill that people may feel a level of discomfort about. I can absolutely assure all members—I think this bill came back to cabinet five times—that this was not a matter cabinet entered into lightly. It was not an issue that we rushed into. We thought about it with a great deal of rigour. We explored a range of options including leaving this entirely unregulated despite the fact that the parliamentary committee had recommended it. However, that would have been squibbing our responsibilities.

The Surrogacy Bill acknowledges that every child has the right to certainty about who their legal guardians and parents are regardless of how they came into the world. On the other hand, the opposition's Family (Surrogacy) Bill will perpetuate a second class of children who, through no action of their own, were born through a surrogacy arrangement or into a same-sex family. I cannot support that. Frankly, I am very surprised that the Deputy Leader of the Opposition would or that there are people on the other side who could contemplate it. If the Deputy Leader of the Opposition's bill were passed by this parliament, Queensland would be the only state in Australia that would prohibit single people from accessing surrogacy arrangements or discriminate against people on the basis of same-sex relationships. I do not believe that we have yet seen one argument put forward in this parliament about why these arrangements can be entered into as soon as you go to Tweed Heads but not here.

Through the Surrogacy Bill, what we can do is give people like Kirsty and Michael hope. We can ensure that our laws keep pace with technology, and we can ensure that all Queensland children, no matter the circumstances in which they are born, are treated equally.

I do understand that there are very strong views on this. I have spoken with the heads of churches on the matter. I have spoken to people who have deeply held convictions. I have searched my own conscience on this and I know that other people in the House have done the same. I just implore everybody to make sure that when you decide on your vote on this bill you think about the circumstances of the children involved—children who do not choose the circumstances of their birth—and that you make sure that it is they who are at the front of your minds. I again thank all of those who have contributed to the work of the parliamentary committee. I would remind people that this has been well thought out by the committee. It has put in place a very good set of arrangements. It explicitly deals with the question of same-sex couples and it does not recommend discriminating against either same-sex couples or singles, and I commend the bill to the House.

Mr LANGBROEK (Surfers Paradise—LNP) (Leader of the Opposition) (2.50 pm): I rise to speak to the Family (Surrogacy) Bill 2009 and the Surrogacy Bill 2009. I want to congratulate the shadow Attorney-General and Deputy Leader of the Opposition, the member for Southern Downs, for his comprehensive presentation prior to lunch. This conscience debate is a solemn and important aspect of our Westminster tradition. For all its failings, our Westminster system of government has evolved to a stable and predictable point where the electorate can have broad confidence in the way their members will vote in parliament based on their party allegiances. But occasionally our system works best when each and every member of parliament is freed from the constraints of their party's whip and is able to exercise a vote guided by their own conscience and their own understanding of religious, ethical, moral and ideological obligations and principles. I am pleased that each side of politics has allowed its members to consider their own party's bill before the Legislative Assembly free of the constraints of their whip for that bill. This is our parliamentary tradition at its best. I also note the ruling of the Speaker with regard to the procedural issues that will cover the parliament's dealing with these bills.

I recognise from the outset the deeply moral nature of this issue and that members of this House, as well as members of the wider community, have views on this issue which stem from their own profound and considered understanding of life, the nature of life and the moral aspects of modern medical science. I appreciate that some members of this House, in searching their conscience and seeking to do right by their fellow citizens, may find that their faith leads them to the conclusion that surrogacy arrangements stretch their understanding of right and wrong to a point where they cannot in good conscience support the proposed legislation before the House. I respect these views.

I do not wish to speak at great length on these two bills, but I do want to briefly make known my reasons for opposing the government's bill and supporting the bill introduced by my deputy and the shadow Attorney-General, the member for Southern Downs. From the outset I want to thank the many people from all over Queensland who have called my office or who have written to me on this issue to express to me their heartfelt concerns for what the government's and the opposition's bills will do. I recognise that many of these people have contacted my office because aspects of this debate challenge their faith and their deeply and personally held views about what is meant by the nature of life and how it should come about.

I do not oppose the use of surrogacy as a method for couples to welcome into the world a child whom they can bring up in a loving and caring home. The surrogacy method of bringing a child into the world does not challenge my morality and conscience. What does concern me is the paramount

importance that this parliament and the law should accord to the interests of a child in recognising a new technology for assisting with the bringing of a child into this world. The best interests of the child requires to my mind that, where possible, every child should have the love and care of both a mother and a father figure. My conscience requires me to oppose the introduction of the government's bill, which allows a child to be brought into the world into a family without a mother and father figure in their lives.

I do not come to this decision because of any prejudice or hatred towards same-sex couples. I come to my decision because, when it comes to welcoming a child into this world, the paramount concern is their interests and their opportunity, where possible, for them to benefit in life from both a mother and a father. This, to my mind, outweighs all other concerns. I am concerned that the government's bill does not place the best interests of a child as the paramount concern and seems to be a step in the direction towards social engineering.

I am proud of my liberal heritage and I consider myself to be a liberally minded person. I strive to be a tolerant and compassionate person. At the heart of this issue I am concerned that the government's bill would take a significant step down the road towards turning children into commodities. I do not support the commoditisation of children. I note that on page 5 of the committee's report into the government's bill the committee, too, expressed a concern about the commoditisation of women and children. The arrival of a child into the world is a blessing and must never be allowed to be considered as a parent's or an adult's right—just a great blessing.

In seeking to do right by the child, we must never allow the legitimate and understandable desires and aspirations of potential parents to become the overriding consideration. The child's need for a father and a mother outweighs all other equitable concerns—no matter how unfair this might seem to what would be loving parents. We must in my view always place the child's interests first. Sometimes this will mean taking decisions and enacting laws that may, on the surface, seem unjust to many in our community. I accept that to some the opposition's bill will seem unfair, but I do not think we should allow our modern and liberal understanding of what constitutes a loving relationship to be paramount to the higher interests of the future child.

The parliament must always place the interests of children first and not adopt a double standard. In this respect, I am disappointed with the backflip that the Bligh government has done in the past six months. When this parliament considered reforms to the state adoption laws in 2009, the Premier was happy to differentiate between same-sex couples and heterosexual couples in the adoption process. But now the Premier and her government seem to be determined to allow singles and same-sex couples access to surrogacy procedures. The government's inconsistency is striking and can only represent political ideology as a policy driver rather than good public policy. It is from my concern for the yet-to-be-born children of surrogate mothers that I feel conscience bound to oppose the government's bill and support the private member's bill of the member for Southern Downs.

Before I conclude, I want to refer to the Premier, who insists on making observations about people on this side of the House and their potential motives and the reasons we put our legislation forward. I want to say, as a proud Queenslander and on behalf of the thousands of Queenslanders whom I meet as I go around this state, that I am proud to have legislation in Queensland that may not be reflected in every other state of Australia, but that is what makes Queensland the best state. I am determined that I want to reflect the views of the Queensland community. I commend the opposition's bill to the House.

Mrs SMITH (Burleigh—ALP) (2.57 pm): I rise to support the Surrogacy Bill 2009. I am a 63-year-old woman who has a wealth of life experiences. I was raised in a single-parent household from the age of four years and have experienced a happy marriage for the past 42 years. It does not necessarily follow that children of single parents are doomed to failure, as some of the correspondence I have received suggests. It is often said that families are not what they used to be. Many different family structures exist today. The two-parent family of the 1950s has given way to single parents, de facto, blended and same-sex couple families. Society is continually changing and evolving. Our legislation, processes and attitudes, by necessity, change with it.

Like every member of this House, I have received a large number of submissions on the Surrogacy Bill 2009—both in favour and against. These submissions have attempted to appeal to me based on religious reasons, moral, pragmatic and/or sentimental reasons. I have been referred to and provided with dozens of studies which give analysis supporting every outcome to surrogacy and same-sex parenting that can be imagined. One of the conclusions that has come to me on the strength of this paper deluge is that I am not an expert on any of the issues which people have raised. I have no expertise in theology or morality; I am not a child life expert, a psychiatrist or a sociologist. Fortunately, that is not my job, nor is it the job of this government or any politician to force a set of moral or religious standards or dictate parenting styles on Queensland families. Our job is the responsible administration of the state's business, prudent financial management and the provision of protection to Queenslanders, with particular attention to those most vulnerable.

Children have the right to two parents. They have the right to equal protection under the law. These rights exist regardless of their parents' sexual orientation, their parents' marital status, religion, lifestyle or any other factor that has come up for discussion. Surrogacy is not new. Same-sex couples raising children together is not new. These arrangements and families currently exist in Queensland but, as things stand, they live without the protection of the law.

It is our job as a responsible parliament to provide that protection and I am proud to be part of a government that is moving towards recognising equality and extending protection for Queensland children and their families. The important thing is that children are loved and feel safe in their homes with the people who make up their families. For me it is not important what gender those people are nor what their sexual orientation is. It is none of my business and it is not the business of this parliament to dictate how people live their lives.

I am a parent, too. I have raised two sons and now have a hands-on role in raising two grandsons. I have done my best, but I have made mistakes. I am sure that all parents, if they are honest, will admit to some mistakes and very few could say that they know what makes a perfect parent or a perfect family. People must make their own choices and do the best they can. I am not going to tell them how they should go about it, but I will do all within my power to support Queensland families—all Queensland families. I commend the bill to the House.

Mrs STUCKEY (Currumbin—LNP) (3.01 pm): I rise to make my contribution to the Surrogacy Bill 2009, introduced into this House by the Attorney-General and Minister for Industrial Relations on 26 November 2009, and the LNP's Family (Surrogacy) Bill 2009, which was introduced into the House two weeks earlier than the government's bill, on 11 November 2009, by the shadow Attorney-General, the honourable member for Southern Downs. Yesterday morning we were informed by the Leader of the House that both of these bills are to be debated together in cognate and that both parties will allow a conscience vote on their respective bills. I ask honourable members to respect this fact. I will be true to my conscience.

Notably, these two bills aim to decriminalise altruistic surrogacy and to provide the legislative framework for the transfer of parentage of a child born under a surrogacy arrangement. It will repeal the Surrogate Parenthood Act 1988, which prohibits all forms of surrogacy and subjects Queensland residents to a maximum of three years imprisonment. Both bills also make amendments to a number of other acts that relate to parenting and the status of children. In addition, the government's bill seeks to amend the Status of Children Act 1978 to extend the parentage presumption to the female de facto partner of a birth mother and to expand the definition of 'fertilisation procedure'.

The similarity ends there, as the LNP's Family (Surrogacy) Bill would allow only married and de facto heterosexual couples access to altruistic surrogacy. The government's bill was introduced in response to the review of Queensland's Surrogate Parenthood Act 1988, which prohibits all forms of surrogacy, subjecting Queensland residents to criminal punishment that can result in the three years imprisonment or 100 penalty units. This act was viewed to be archaic and outdated, as no other Australian state or territory today criminalises altruistic surrogacy. In February 2008, the Bligh government appointed the Investigation into Altruistic Surrogacy Committee to investigate the possibility of decriminalising surrogacy in Queensland. The committee received 130 submissions and heard from 37 witnesses who represented a broad section of society, including individuals from religious and medical fields, ethicists, counsellors and infertile couples. All were able to present their case and/or argument either for or against and relate their personal experiences and beliefs. Their information assisted us greatly in shaping our recommendations to put to the parliament.

The key recommendations of the committee's report, listed in the explanatory notes, were that altruistic surrogacy be decriminalised in Queensland, that there be a mechanism to transfer legal parentage, that altruistic surrogacy arrangements should be unenforceable, that a genetic connection between intended parents and the child should not be a prescribed requirement, and that births are re-registered after the transfer of legal parentage for a child and children have access to their original birth certificate when they turn 18 years of age. Same-sex couples and singles having access to altruistic surrogacy arrangements was not a key committee recommendation.

Other consultation included the Queensland model and same-sex parenting review, which received 640 responses, 622 of them individual submissions and 19 from organisations, and the draft Surrogacy Bill of 2009, which received 19 submissions, 16 of which addressed surrogacy amendments and 12 which addressed same-sex parenting. In speaking to this historic bill, I am well aware of the impact that we in this 53rd Parliament have on people's lives. With that in mind, I can say that it was both a challenge and a privilege to be a part of the altruistic surrogacy committee for six months during 2008. There were many meetings, copious papers and submissions to read, plus a two-day hearing that was recorded in *Hansard*. Our role was to gather evidence and deliberate the issue of the decriminalising of altruistic surrogacy in Queensland, which was then, and is today, a deeply divisive and sensitive topic. I acknowledge the various viewpoints within this chamber and in the wider community.

As I have already mentioned, Queensland is the only state in Australia in which this form of surrogacy is illegal. There can be no certainty as to how many surrogacy arrangements have taken place since the enactment of the Surrogate Parenthood Act 1988, but we can be sure that children have been born as a result of surrogacy arrangements in illegal circumstances. There is currently no legal framework for transferring parentage from the birth mother to the intended parents of the child in a surrogacy arrangement, leaving the rights of children born under these surrogacy arrangements in Queensland subordinate to those of other children. The best interests of the child must be the guiding principle of any legislation concerning surrogacy and the LNP is not convinced that that will be the case, which is why it will not support the government's bill and has introduced its own Family (Surrogacy) Bill. Not all of the committee's 26 recommendations were supported in full by the government.

In fact, the very first recommendation—for annual reporting to parliament by ministers responsible for the implementation of the adopted recommendations—was flatly rejected. With something as sensitive and as divisive as the issue of surrogacy, this Labor government cannot be bothered to monitor the effects closely. Procedure and thoroughness are constantly tossed aside by this government, as is evidenced by its track record of ignorance and incompetence in this great state. The government and the LNP supported the central recommendation of decriminalising altruistic surrogacy in Queensland and the development of a mechanism for the transfer of legal parentage from birth mother to intending parents via altruistic surrogacy arrangements.

I am very disappointed that the Premier tried to skew the truth in here earlier, saying that all members of the committee agreed to decriminalising altruistic surrogacy, and that meant open surrogacy. Yes, we agreed on a platform at a very early stage in our committee, but we had not gone down the path of criteria and, when we did, it is noted quite clearly that not all members of that committee agreed with same-sex or singles being included. To say that the Premier's words were mischievous would be putting it mildly.

One important amendment noted in both bills is that the birth mother and the birth mother's spouse—if applicable in the case of the government's bill—had to be at least 25 years of age when the eligible surrogacy arrangement was made and that each intended parent was at least 25 years of age. Altruistic surrogacy involves a number of people and a degree of maturity is required. I am pleased to see that this age prescription has been included. Generally speaking, though, the government's bill short-changes intending parents by not being prescriptive enough. Without an adequate framework and regulation in place this legislation to decriminalise surrogacy is destined to fail many of those it was originally designed to assist and cause immeasurable and avoidable heartache for others.

I am wondering how financial assessment can be undertaken to check if intending parents or a single parent can manage and not subject the child to poverty. Does this matter? I think so. It is clearly not in the best interests of the child. Love is a many splendoured thing but it does not replace food and shelter. I note that in the explanatory notes there is reference made to only a person's psychological state and the related counselling requirements, not their financial capacity.

The topic of Indigenous adoption was not well served by the committee. Nowhere near enough time was allowed for the women elders to talk with us during the two-day hearing. Why this unique form of traditional adoption was included in this legislation in such a hasty and ad hoc manner seemed a little odd to me. The chair of this committee, the honourable member for Kurwongbah, who left at the end of the 52nd Parliament, is no longer here to witness the outcome. She said in a media release—

We have heard from Queensland couples earnestly seeking law reform. For them altruistic surrogacy represents their only realistic option to have children.

The couples that we heard from who spoke earnestly about law reform in our hearings were all heterosexual. In a media release dated 10 October 2008 the chair wanted to emphasise that the committee's position should not be interpreted as encouraging the practice. She continued—

This is not about promoting surrogacy. We propose a regulatory framework which regards altruistic surrogacy as a last resort.

The committee made it very clear they wanted altruistic surrogacy to be seen as a limited option. This deeply personal topic was presented to the people of Queensland in an almost warm fuzzy manner highlighting the cases of loving men and women who had endured years of agonising disappointment. We heard tragic and poignant stories from heterosexual couples who showed incredible courage in sharing their often humiliating medical incompetencies. As a woman who has borne children, it was impossible not to feel for their plight or their genuine yearning to become parents after years of failed attempts.

Committee members agreed not to disclose another committee member's personal comments that emanated from numerous meetings and I completely respect this decision. Committee deliberations are confidential, as the Speaker reminded us on Tuesday morning. However, I will say how very uncomfortable I felt even raising the issue of same-sex couples applying for surrogacy. It was a question that had to be asked and I had hoped it would be broached early in our discussions but it was not. That is a great pity. With hindsight I can see it was easier to sweep it into this legislation under the guise of social need once general acceptance had been identified after the public hearing. Right from the start of the public two-day hearing it was obvious what the desired result was. I found the brusque, probing,

court-like way that the chair tossed questions to the religious submitters at the hearing quite heavy-handed and embarrassing. Still though no-one had brought up the issue of same-sex parents being eligible as parents so I decided to do so myself.

This issue has caused me many hours of deep contemplation and reflection as to what I should do. I am grateful to our research director, Julie Conway, for encouraging me to say what was on my mind without fear of reprisal. All the public comment the good people of Queensland heard about was these poor men and women who had suffered all manner of tests and had multiple medical problems but really the Labor agenda was to open the morally testing practice of surrogacy to just about anyone, even singles. On the one hand, the Attorney tells us surrogacy is a last resort option to create a family but in reality he is making it available to anyone. This sneaky, deceitful behaviour is an insult to the couples who have been to hell and back with countless fertility tests, not to mention huge financial costs.

Government members interjected.

Mrs STUCKEY: As I said before, it took amazing courage—unlike those members who are interjecting in this House—for people to come into a two-day hearing and pour out their private lives and literally beg politicians to lift the ban on altruistic surrogacy. Speaking of costs, a responsible government should consider the financial aspect of this legislation. Just how much will this cost to implement if it is taken up by a large group of people? Extensive counselling by trained specialists will be required. The federal Labor government is looking at placing a cap on Medicare payments for IVF as, since Medicare safety net fees were put in place in 2003, fees have soared 290 per cent.

No same-sex couples presented at the two-day hearing. By making this point I wish to place on record that I have no negative feelings about people who are engaged in same-sex relationships. Indeed, I have several close friends in them. But I do oppose this legislation allowing people with non-medical reasons access to surrogacy of any sort, altruistic or commercial. We were told by the Premier the issue had largely been promoted by Labor Senator Conroy's own heterosexual situation and it would appear that it was a push from him that moved the debate forward. Unfortunately, the good senator cancelled out of hearings for personal reasons and we did not get to hear from him. In his second reading speech the Attorney said—

There are people in Queensland who are unable to start a family. The current law in Queensland has prevented these people from using surrogacy as a last-resort option to create a family.

He continues—

Labor governments see family life as fundamental to the wellbeing of society, and we do not seek to impose one narrow set of criteria on our description of what constitutes a family in Queensland.

What an absolutely hypocritical statement that is. If that is the Labor view then what does the Attorney have to say about the laws relating to the recent adoption bill that prevented same-sex couples from adopting children? What is the difference? There is no biological material required in either surrogacy or adoption. If that is not being duplicitous then what is? Why are there no timelines of a couple of years to indicate a stable relationship as there are in the Adoption Act? What does the Attorney have to say to government members who are practising Christians? There are quite a few of them on both sides. I see them cross themselves after prayers each morning. Is he saying that their views of a family according to their God as one formed between a man and a woman is wrong? I wonder how these members are feeling about the contents of these bills. For some, their consciences must be screaming at them.

Religion aside, many Queenslanders believe that good legislation must be based on practicality and that the best interests of the child are paramount. The Attorney also says that intended parents must establish to the court there was either a medical or social need for the surrogacy. These are two totally different items. Couples who have waited so long due to medical problems would be insulted at the casual manner this socialist leftist government has bunged them in together. It is insensitive in the extreme.

Countless letters and pleas from groups and individuals have bombarded me, as they have no doubt other members. Like research papers on this topic, the majority were against the notion of same-sex couples gaining access to altruistic surrogacy and favoured a mum and dad scenario as best for the child. But there were a few from gay lobby groups such as PFLAG in support. I want to thank them all for their involvement in this historic legislation.

Numerous potential problems highlight the complexity of surrogate births and put a question mark over the interpretation of the much used ideology—or should I say abused ideology—'the best interests of the child'. I have here in this House on more than one occasion reiterated the views of many respected professionals who specialise in child safety as to what constitutes the best interests of the child. I have to say it varied significantly to the interpretation by the Bligh government. I am very pleased to see this government's disgraceful One Chance At Childhood policy was eventually abandoned late last year. It is not too late to abandon aspects of this current bill.

In the following case, a South African woman had two fertilised eggs with donor sperm implanted at the one time, one of her own and one of the woman who was to become the mother. Once the baby, a boy, was born he lived with his new parents who migrated to Australia in 2002. They separated a year

later and the boy spent time with both until the father sought custody in 2007 which he subsequently won. Now the surrogate mother has sought DNA testing to ascertain if she is the biological mother as no-one knows which egg created the boy.

Granted only one major surrogacy case has supposedly occurred in Queensland's family law history but that will no doubt change with decriminalisation of this practice in this manner. Another example of possible difficulties occurred in Sydney in December last year where a court ruled in favour of a woman with no biological connection to the child despite the mother's appeal against this happening. The woman who conceived the girl was in a relationship with the woman granted access. Both women lived together for 11 months before the child's birth and separated just 10 months afterwards. However, application for the former partner to be recognised as a parent and included on her birth certificate was refused. Difficulty with relinquishment is anticipated in a number of cases. Recommendation 16, which deals with criteria for intending parents and birth mothers, must be addressed soon by the health minister as it suggests additional standards be developed under the Private Health Facilities Act 1999 to include criteria for intending parents and birth mothers seeking assistance from ART.

I want to speak about the third point in this recommendation, which states—

The proposed pregnancy poses no significant health risk to the birth mother and she has experienced a previous successful pregnancy.

I would like to see this point extended to all birth mothers undertaking a surrogacy arrangement. By the time infertile couples choose this path, they have already expended enough hope, anguish and sorrow. Every chance should be given to achieve a successful outcome and avoid risks. I feel that this is important for two main reasons. One is purely medical: there is less risk of a medical abortion caused by an incompetent uterus or other complications if a woman has already delivered a healthy full-term baby. The other is the unknown levels of emotion and bonding the birth mother or surrogate will experience with her first pregnancy. No-one can imagine how they will feel until they carry a child. Nine months is a long time and, while a surrogacy arrangement is not enforceable, there is an increased chance the birth mother will not want to part with the baby, causing more heartache for the commissioning parents. The whole issue is fraught with raw sentiments, no matter how much counselling takes place. After all, we are humans.

Last month Michael Ord, the Queensland spokesperson for the Australian Family Association, said—

No-one has the right to a child and our society has the responsibility to protect children.

I agree with him. Having a child is not a right. It is an 18-year responsibility. It is not a commodity or a political football. Homosexuality is legal in Australia and it is an individual's choice to partner with whomever he or she wishes. However, if a person decides to partner with someone the same sex as themselves, surely they acknowledge there is no physical way they can create a baby biologically. These are not fertility issues; they are life choice issues and should be viewed in that vein. I do not support surrogacy for social infertility or lifestyle reasons. Having a child is not a right; it is a gift. The government's bill is discriminatory to couples who for years have tried to have a child, battling genuine medical infertility and who have fought tooth and nail for this legislation, shed a river of tears, suffered depression and heartache to finally achieve their goals, to have it opened up to all and sundry through this sloppy legislation.

(Time expired)

Mr KILBURN (Chatsworth—ALP) (3.21 pm): I rise to speak in support of the government's Surrogacy Bill and to oppose the LNP's Family (Surrogacy) Bill. As we have already seen, during this debate both sides will be declaring that they are looking after the best interests of the child. The truth is that the government's bill is actually about the best interests of the child and ensuring that the child's interests are the priority, regardless of the circumstances of their birth.

Since the Attorney-General released an exposure draft of the Surrogacy Bill on 29 October I have received a number of submissions from members of the public in my electorate. Many of those were form emails supported by various groups opposed to surrogacy. A number of those were quite aggressive and rude in their tone. In contrast, I received a number of emails from parents of surrogate children, including same-sex couples, that were respectful of the views of others but asked simply that their children be afforded the same rights as all other children in Queensland.

I wish to make it quite clear that, in my opinion, the guiding principle when it comes to who should be and who should not be able to have children is whether they will provide a loving and supportive environment and not what form that family unit takes. It is interesting to hear continually that it is better to have a nuclear family with a mother and a father. If you ask any child whether they would like to have two loving parents, whether they be male or female, or a single parent who loves them and treats them with respect or whether they would like to be part of a family where their father comes home drunk and flogs mum every night, I think they will take the same-sex couple or the single parent every time.

This bill will bring the laws of this state into line with what is already occurring in other Australian states and jurisdictions throughout the world. It is important that laws are constantly reviewed and updated to reflect community expectations and to provide equal treatment for all members of the community. It saddens me that there are still people in our community who are intolerant of the lifestyles of other members, not because of anything that those people have done but because they are simply opposed to anything but their own view on how society should be. Of course, many times history has shown that this intolerance will always be defeated by the more progressive and tolerant members of the community. However, it is sometimes necessary for the government to show some leadership, which is a concept that we have seen to be a complete enigma to the LNP.

We only have to think back to when children were discriminated against because they were born out of wedlock, which is not that long ago. In Australia, illegitimate children did not have the same rights as legitimate children to inherit from their parents because of an 1873 English common law ruling that restricted the meaning of the word 'children' in a deed or will to legitimate children. Only South Australia gave ex-nuptial children the right to inherit from their fathers. In other states, unless they were named in a will ex-nuptial children had no claim. In addition, three states gave them no rights to inherit from their mothers. It took until the late 1970s for all Australian states to introduce laws that removed discrimination against so-called illegitimate children. I would expect that most members of this House would look upon that discrimination in dismay and wonder why it took so long to remove the discrimination. Today, we are back in the same place.

Let us now consider the discrimination against children of interracial relationships. In Australia half-caste children were discriminated against not because of what they had done but because of intolerance and bigotry towards their parents and they had no rights under the inheritance law or any other rights until very recently.

Whilst researching this speech I came across an interesting court case from America. In 1958 Richard Loving and Mildred Jeter married in Washington and together returned to Virginia as husband and wife. Richard was white and Mildred was black. However, Virginia banned interracial marriages. The Lovings were prosecuted under a statute enacted in 1924 entitled 'An Act to Preserve Racial Integrity'. The statute said that in Virginia no white person could marry anyone other than a white person. The law made it a crime to enter into an interracial marriage not only in the state of Virginia but also in any other state. Furthermore, the law stated that children born out of such a union were deemed, in the eyes of the state, to be illegitimate and without the protections and privileges accorded to the children of lawfully wedded parents.

The Lovings pleaded guilty to violating the act and were sentenced to one year in jail. Interestingly, that was one year less than the LNP proposes to lock up same-sex couples for engaging in surrogacy. That is an absolute disgrace. The trial judge gave them the option of avoiding incarceration on the condition they leave the state and not return for 25 years. Maybe that is another policy the LNP would like to take up. During the course of the proceeding, the trial judge asserted—

Almighty God created the races white, black, yellow, malay and red, and he placed them on separate continents. And but for the interference with his arrangement there would be no cause for such marriages. The fact that he separated the races shows that he did not intend for the races to mix.

That is the type of intolerance and ridiculous ideas that were around until very recently. It was not until 12 June 1967 that interracial marriages were no longer illegal in any state in America.

Once again, intolerance by some members of the community is creating an environment where the children of these relationships are discriminated against. The children born of surrogate relationships, whether they be heterosexual or same-sex relationships, are discriminated against. Now, in 2010, we are debating a surrogacy bill and we have another battle to protect children from discrimination based on the actions of their parents. The LNP are showing that, whilst they like to live in the past, they have learned nothing from the lessons of the past and will continue to pretend the world is as they want it be instead of deal with the reality of how it is.

The forces of intolerance lost the battle to be able to discriminate against illegitimate children, they lost the battle to discriminate against interracial children and tomorrow they will lose the battle to discriminate against the children of surrogate families. They will lose because their basic premise that it is harmful to the child to be born as a result of surrogacy, and particularly to same-sex parents or a single parent, is not supported by scientific evidence.

The member for Southern Downs referred to a report. I have made a point of researching this issue and I have not been able to find any independent scientific evidence that proves harm is done to these children. In fact, quite the opposite is true. There is good evidence of equal or more positive outcomes for children with non-biological parents, same-sex parents and surrogate arrangements in child emotional, social and psychological development and in parenting styles and family functioning. To some extent these positive findings are attenuated for artificial reproductive therapy and donor conceived children by the adverse impacts of the technology itself and by the children's experience of nondisclosure. In fact, it is the nondisclosure to the children that is detrimental in those cases.

In considering the impact of these findings on policy decisions, it seems clear that surrogacy and artificial reproduction therapy can be offered to any family type regardless of the sexuality of the parents or the need for surrogacy. Two caveats apply. The first is that prospective users are fully informed of the risks of the technology to their child and of methods to minimise such risks. This will be done under this bill during the compulsory consultation process beforehand. The second caveat is that parents of donor conceived children are provided with a full range of information regarding the potential desire of their children for information. This is also something that will be discussed I believe before the surrogacy is approved.

That does not represent a picture of a victimised child, rather the reverse. These children appear to be remarkably resilient, negotiating the stigma by developing strong peer relationships through careful choice. They are not only aware of their own family diversity but develop a rich understanding of diversity more broadly. This does not happen by accident. Having made a deliberate choice to have children, these parents are providing an effective and loving environment and equipping their children with the skills to build resilience. They are also imbuing their children with the value of acceptance. In this way, parents and their children are positively contributing to our pluralist society. These were the findings of Dr Ruth McNair from the Department of General Practice at the University of Melbourne.

There is other evidence. It comes from a review that was done by organisations including the American Academy of Pediatrics, the American Academy of Child and Adolescent Psychiatry, the American Psychiatric Association, the American Psychological Association, the American Psychoanalytic Association, the National Association of Social Workers, the Child Welfare League of America, the North American Council on Adoptable Children and the Canadian Psychological Association. They found that there is ample evidence to show that children raised by same-gender parents fare as well as those raised by heterosexual parents. More than 25 years of research has documented that there is no relationship between parents' sexual orientation and any measure of a child's emotional, psychosocial and behavioural adjustment. This data has demonstrated no risk to children as a result of growing up in a family with one or more gay parents. No research supports the widely held conviction that the gender of parents matters for child wellbeing. If gay, lesbian or bisexual parents were inherently less capable than otherwise comparable heterosexual parents, their children would evidence problems regardless of the type of sample. This pattern clearly has not been observed. Given the consistent failures in this research literature to disprove this myth, the burden of empirical proof is on those who argue that the children of sexual minority parents fare worse than the children of heterosexual parents.

Professor Judith Stacey of New York University stated—

Rarely is there as much consensus in any area of social science as in the case of gay parenting, which is why the American Academy of Pediatrics and all of the major professional organizations with expertise in child welfare have issued reports and resolutions in support of gay and lesbian parental rights.

So we can clearly see that the evidence is quite overwhelming that it is not detrimental to the welfare of the children to be in a same-sex or single parent family. What is important and what consistently comes out in the evidence is how the family works, how they treat each other in the family and what goes on in the family on a daily basis, not what it is made up of. As I have said before, it is quite clear that there is evidence that says that the vast majority of domestic violence is committed in heterosexual relationships. This idea that because it is a heterosexual relationship the kids are going to grow up fine and dandy is ridiculous.

Let me read a letter from a constituent regarding this bill. I will not use the real names of the parents or the child but I read this simply to try to show that same-sex couples are not the scary concept that the LNP appears to think that they are. The letter reads—

My name is [Jane]. I am the mother of a 14 month old boy ... My partner of 10 years [Jill] is his other mother. We are obviously very interested in what happens with the Surrogacy Bill 2009, especially with regards to its provisions for same sex parenting.

Bringing [our child] into our family was very much a joint decision, and it took us years to get from the point of deciding to have children to [our son] being conceived. We are very much a family unit, with [Jill] being [our son's] primary carer since I have returned to work. As [our child] grows, I expect that he will consider us both as his parents. Our friends, family and health practitioners also treat [Jill] very much as his parent. The federal government also now treats [Jill] as his parent, and if we ever split up, she would be liable to pay child support for him. So why shouldn't the Queensland government also give her legal recognition as [our son's] parent?

I understand that some people may have an issue for religious or other reasons with same sex couples having children. However, the reality of the situation is that lesbian and gay couples do have children and will continue to do so. While some may disapprove, the evidence of research to date indicates that it is the quality of care a child receives, not the gender of their parents that makes a difference to their lives. You may have already seen summaries of this research ...

By not giving legal recognition at the state level to [Jill] her parenting of [our son] may be hampered by bureaucracy; she may not be able to help out at his school without a blue card, she may not be able to make medical decisions in an emergency, she may not be able to take him out of the country if she's not on his birth certificate, she may have to face a court case for custody ... in the event of my death.

By giving legal recognition to [Jill] and other non-biological parents, children of same sex parents can be raised equally by both parents, with the full support of the state, and without the stress of wondering where the next hurdle might be.

These are the types of loving and caring people that the member for Southern Downs and the LNP believe should be subject to two years imprisonment. It is incredible.

Mr Knuth interjected.

Mr KILBURN: No. It is for having a child—two years jail. According to the LNP, this is the best way to ensure the best interests of the child—that, if same-sex couples participate in surrogacy, the best interests of the child is to put their parents in prison for up to two years. But let us go to the crux of this debate and try to allay the fears of those opposite. To the extent that data is available, it shows that the vast majority of children raised by lesbian and gay parents eventually grow up to be heterosexual. So there is no need for those opposite to fear that they will be overrun by homosexuals destroying their valued way of life. It is not going to happen. They can stay calm.

I find it amazing that the LNP opposed the Criminal Organisation Bill due to some supposed commitment to civil liberties and the belief that the government should not impose on the private lives of citizens but now the LNP is not only imposing on the private lives of citizens but wanting to criminalise who they fall in love with. It is as simple as that. According to the LNP, if you fall in love with someone of the same sex and you want to have a child, then it is not on—it is off to jail for you.

I would like to address some of the comments that have been made by some of the members opposite so far. The member for Condamine is extremely concerned that same-sex couples will not be able to get their children to a toilet. I was a single parent for 10 years. I managed to get my two girls that I raised by myself into a public toilet whenever they needed one. Whilst we may laugh at this type of statement from members of the LNP—and we are used to it—it simply highlights how out of touch those opposite are. Not only is it possible for single parents to take children to public toilets—I have done it myself—but they have this wonderful new concept now called parenting rooms. It is an incredible move forward for the community and they are very useful. I suggest that the member for Condamine get out a bit more because he might see that some of these things are available.

Now I want to talk about the member for Southern Downs, who said that it was deceitful the way we brought this bill in. Let us talk about deceit. Let us talk about someone turning up at a lunch put on in this place for the lesbian and gay community, who pretends to be friends of the lesbian and gay community, who stands up and talks about how he supports them and how valuable they are and then sneaks away to a room and writes a bill to make it illegal for them to have children. That is deceit and that is disgusting behaviour from someone in this House. He should be ashamed of himself.

It is interesting to have a look at the speaking list today because there are some notable absences—that is, the Liberals in this House. They do not seem to be on the speaking list. The member for Moggill is not on the list. The member for Indooroopilly is not on the list. The member for Clayfield is not on the list. It would be interesting to hear what those members from the suburbs of Brisbane where people are quite open and easygoing think about this draconian, ridiculous, backward law which makes it illegal for same-sex couples to have children. It is an absolute disgrace. Twenty years from now we will look back on this day, as people look back on the days of discriminating against interracial children and illegitimate children, and people will say, 'What were they thinking? Who were these people who fought against this?' I will be able to say that I know, that I was able to look at them and there they are. These are the people who will continue to fight against progress and continue to discriminate against people based on their belief of what the perfect family should be. I am definitely happy that I am on this side of the House and not on that side of the House.

The member for Currumbin raised an interesting case where there was some confusion in a surrogate family about who the parent was. That is interesting because, if you look at the evidence, you will find in Family Court cases where DNA testing is done to find out who the father is, in eight to 12 per cent of those cases the father was not actually the father. We had one case of a surrogacy causing a problem. There are numerous cases of heterosexual couples having the same problem.

On that side this is not a debate about the rights of the child; it is on this side. On that side it is about fear, intolerance and driving a wedge into the community for simplistic, populist reasons. I support this bill. I commend the bill to the House, and I congratulate the Attorney-General for bringing it here.

Mrs MENKENS (Burdekin—LNP) (3.39 pm): Today in this cognate debate we are debating two bills relating to the issue of surrogacy. At the outset, I wish to state my total support for the decriminalisation of surrogacy in Queensland but not my support for the government bill, which is simply a left-wing attack on our family structure and on our society. A surrogacy arrangement is not a process that can be, or should be, entered into lightly by intending parents. Surrogacy cannot be allowed to become a quick fix to gain a child. I repeat that: surrogacy cannot be allowed to become a quick fix to gain a child. Surrogacy is there as a very last resort for a stable couple who have been unable to bear a child and this is their last chance of achieving a family.

I personally believe that this is an arrangement which should only be acceptable within a stable marriage or long-term partnership between a man and a woman. This should only be made legally available between a couple who have exhausted all other avenues of being able to bear their own child and who are totally committed to providing a long-term, loving, secure and stable family base for that child.

I understand the term 'family' in modern parlance. The term 'family' can relate to many varied applications of its participants. Most of those family structures have a base of security and happiness. I personally have absolutely no issue with how people choose to live their lives, and I support them to the hilt. However, where children are concerned, this is another matter. Surrogacy does not have the wider support from all members of the community even today. It is still a very sensitive issue. For the sake of the child involved and its long-term security, happiness and balance, I fully support the Deputy Leader of the Opposition's stance and I am supporting the Family (Surrogacy) Bill 2000.

Let us look at it. In simplistic terms, an unborn child has rights. An unborn child has a right to a male father and a female mother. Since time immemorial every child has had a right to a mother and a father. I understand that adults have rights. That is fine. I do not dispute, judge or criticise their choice of lifestyle. However, the central issue today is based on the rights of that unborn child who enters this world through a surrogacy arrangement, and what is in the best interests of that child is paramount today.

Labor's Surrogacy Bill 2009 will allow single people and same-sex couples to access surrogacy, thereby redefining what is a family. Labor's bill also includes a second issue of same-sex parentage and recognition for lesbian couples where the child is conceived through ART, artificial reproductive technology. This should be a separate issue. It is an important issue and it does need to be addressed, but the debate that I am focusing on today is that of surrogacy.

There is a strong view held by many people across the community on this issue, and as members we have all seen the many letters that have come in from all sides of the argument. I would like to quote a letter that all members of the House will have received from the Family Council of Australia. The letter states—

By what authority does any government permit adults to deny a child her primal right and most profound emotional need: to have both a Mum and a Dad in her life?

Under this Bill, a homosexual couple can arrange to bring a baby girl into the world with the full intention of denying that child even the possibility of a mother in her life. This Bill will help a single woman to obtain a surrogate baby boy, condemning that baby to live without even the possibility of a father.

Those comments outline my feelings on this and those of a very large number of people across the wider community.

Another aspect of this bill that we must also look at when we look at the structure of a family is that this bill will allow single men to become commissioning parents in a surrogacy arrangement. I question whether this is in the best interests of a child, where a child is created into a structure such as this. I have no doubt that all members in this House look back with love towards their mothers. We are seeing a structure where a child will be brought into the world not even knowing what a mother is. I am not saying that a father cannot do a good job. He can be a brilliant parent, but he will never be a mother.

The LNP bill denotes that intending parents wishing to access altruistic surrogacy are eligible if they are a couple who are married or they are a de facto heterosexual couple in a permanent relationship of at least two years. This is what the current Adoption Act states, and this was the original understanding with which the LNP agreed to participate in the joint parliamentary committee in 2008 on this issue. Surrogacy should be available to women who are unable to conceive or carry a child on medical grounds, not on social grounds or for social engineering. It is also important to note that, of the seven members of that committee, several members opposed this issue vehemently and expressed serious concerns at the wording of the criteria necessary for the intending parents. I quote from the report of that committee—

The committee notes this criterion was an area of debate amongst members. Some members preferred to see heterosexual couples as intending parents. They believed that the nuclear family headed by a mother and father represented the ideal circumstance in which to raise a child.

To that extent, I cannot support the government's bill.

Currently, under existing legislation in Queensland, both commercial and altruistic surrogacy are prohibited. The issue of commercial surrogacy—that is, where financial gain is involved for persons within the arrangement—is not under consideration with either of the bills today. Under the existing Surrogate Parenthood Act 1998, surrogacy is defined as a formal or informal agreement between a birth mother and intending parents for the birth mother to bear a child for the intending parents and permanently transfer the responsibility for the child's care and upbringing to them after the child's birth. The birth mother is the woman who bears the child. The intending parents are the couple who develop an understanding with the mother to act as a birth mother.

Current legislation makes it a criminal offence for either party to be involved in any way in a surrogacy arrangement either in Queensland or anywhere else in Australia or overseas. Currently, at this point in time, whether this offence occurs in Queensland or elsewhere, offences under the current act can attract a maximum penalty of \$7,500 or three years imprisonment. Queensland is currently the only state in Australia where altruistic surrogacy is a criminal offence. When this legislation was put in place, it no doubt reflected community perceptions and expectations of the day, but modern technology and medical practice have radically changed the thinking, the expectations and the perceptions of the majority of the community.

The introduction of the widely used technology of in-vitro fertilisation—IVF—has radically changed the situation where a surrogacy arrangement can be enacted. What the Labor bill and, more importantly, the private member's bill of the Deputy Leader of the Opposition, Lawrence Springborg, reflect is the need to decriminalise a practice that has become much more widely accepted across Australia and across many other countries in the world.

The discussion today is about altruistic surrogacy, which is totally distinct from commercial surrogacy. Commercial surrogacy—and this is legal in several countries in the world—involves commercial transactions for the process of a surrogacy arrangement. Commercial surrogacy is a criminal offence in all states in Australia, and I certainly support that stance and would be very disappointed should that ever change.

As a member of the committee in the previous term of parliament that investigated the decriminalisation of surrogacy in Queensland, I became aware of the very large numbers of wonderful people in Queensland who are desperate to have children. These are people who, because of various medical reasons and other conditions, are unable to conceive or to bear children. These are the people who will make excellent, loving parents and who, through no fault of their own, are unable to have their own children. When one compares these good people with the many people today in our community who are bearing children but have no commitment to their security and future, when we see figures of 7,000 children in foster care in Queensland because those poor children have been unlucky enough to be born to those parents, I cannot but comment on the seeming unfairness of it all. My heart goes out to the many families who are desperately waiting for surrogacy to be decriminalised in Queensland.

As I have said previously in this House, altruistic surrogacy is a very complex and sensitive issue. It challenges members of the community philosophically, emotionally, ethically and intellectually. This is a complex issue and I am aware that for many people it is an issue that they cannot philosophically support. However, as a mother, as a parent and as a woman listening to the needs of many other women, I totally support altruistic surrogacy as a last resort for couples desperately wishing to have a family.

Infertility is very wide ranging and has a huge impact. In 2007 the Australian Institute of Health and Welfare reported that 15 per cent of people of child-bearing age experienced infertility. In 2006 nearly 10,500 people in Australia and New Zealand accessed assisted reproductive technology treatment—in other words, IVF. I am aware that there are still many people in our community who are philosophically opposed also to IVF treatment. However, as technology advances we are facing a somewhat new world. Science and technology have moved much faster than much of our traditional thinking, but the basis of the need for unconditional love and security within a family for children has not changed. To this extent, as I have met and spoken with so many people who are desperate to have children and who have the capacity to create the loving environment every child requires, I applaud the advent of science that has helped to create that reality.

The committee report also outlines the concerns about altruistic surrogacy and the need for caution in relation to entering into such arrangements. I acknowledge that there are many people who hold very deep fears about this. One of the reasons there is so much concern is that there have been cases of surrogacy involving much publicised legal challenges. Of course, those are the issues that people remember. There are four documented cases in Queensland where either challenges have been made or the women involved were found guilty of receiving payment or of falsifying birth documents. However, probably the most publicised and well-known case is that of re Evelyn in Brisbane in 1997. Of course this is not the child's name. In this case an appeal was made against the parenting order by the biological father and mother when the child was one year old. It was a case where four people battled to have custody of the child. Finally, the full Family Court awarded custody of the child to the birth mother with contact rights to the commissioning parents. As the child had been living with the commissioning parents prior to this, it did create much publicity. However, cases such as this one are surprisingly very rare and, compared to the many successful surrogacy arrangements, do not reflect the genuine effectiveness of surrogacy in family relationships.

The first child to be born of gestational surrogacy was Alice Deakin Kirkman in 1998 in Victoria. Her parents proved a landmark case for the legality and success of surrogacy. In this case, the commissioning mother was unable to bear a child and her husband was infertile. Her sister, the child's aunt, acted as birth mother with in-vitro fertilisation from a friend. It is heart warming to hear the very open and sensible approach that these three people have taken to this situation.

Alice Kirkman says she has no concerns about surrogacy and is on very comfortable terms with both her mother and her aunt. This has been a much publicised case, with the Kirkmans speaking out freely in the media over the years. I believe that this family has done much to dispel the fear of many people. I know that there are many other such sensible people in other states of Australia who have been part of surrogacy arrangements.

However, surrogacy is not a matter that can be taken on lightly. The importance of sound counselling and medical advice to all parties beforehand is imperative, and this is spelt out in the legislation. It is noted that a genetic connection between the intended parents and the child is not a prescribed requirement, but many reports certainly suggest that it is advisable.

For a woman to offer her body to carry a child for another is truly altruistic. Those women who do so are very often a family member or, in some instances, a close friend. It denotes a close harmony with the intending parents. This is in stark contrast to what traditional adoption practices used to involve. With a birth, naturally, there are financial implications, and those matters are addressed in the legislation, with reasonable costs being awarded to the birth mother. However, commercial surrogacy arrangements are prohibited within the legislation, with the maximum penalty being 100 penalty points or three years imprisonment. Also not allowable are advertisements or other published matters that may induce a person to act as a birth mother. This will incur similar penalties.

The final custody of the child after their birth is defined as a parenting order. A parenting order is an order made by the court to transfer the parentage of the child born under a surrogacy arrangement. An application for a parenting order can be made not less than 28 days and not more than six months after the child's birth. The court must be satisfied that this is in the best interests of the child and also that the child has been living continuously with the commissioning parents.

It is also important to note that a surrogacy arrangement is not enforceable, and until a parenting order has been put in place the child's birth mother remains the legal parent with custody of that child. This I believe is an important issue because, no matter how well intentioned a woman may be, there may be a time when a birth mother cannot give up the child she bore. This is an area where good counselling is absolutely imperative before this process is entered into.

Also with respect to the birth mother, it makes sense that she should ideally be a person who has borne other children successfully as there is always an inherent risk in any pregnancy and childbirth. The psychological and medical state of all persons involved in a surrogacy arrangement must be closely reviewed by a medical practitioner and qualified counsellor before any arrangement can be entered into. I understand from comments made by health professionals at surrogacy clinics in other states that only a percentage of people who first apply for a surrogacy arrangement actually go right through with the process. Let us say it is not for the casual applicant.

It is legislated that the birth mother and her spouse are at least 25 years of age at the time the arrangement is made. This makes sense as this is a serious decision that requires a mature judgement. The child after age 18 is able to access the name of their birth mother or parents on application if this information has not previously been made available to them through their family.

An arrangement such as a surrogacy is viewed by many people in our community with caution. I believe that this is still a good approach for all intending people involved with such an arrangement as there are significant risks associated with the practice. However, technology and times are changing, and they are moving forward. Surrogacy must not be a criminal offence in Queensland and I wholeheartedly support the decriminalisation of surrogacy arrangements. However, I have full support for and commend the private member's bill, the Family (Surrogacy) Bill, to the House and once again state my opposition to the government's Surrogacy Bill for the reasons that I have very strongly outlined.

Mr KNUTH (Dalrymple—LNP) (3.59 pm): I rise to speak to the Surrogacy Bill and Family (Surrogacy) Bill cognate debate. On 8 October 2008 the committee tabled in the Legislative Assembly its report investigating the decriminalisation and regulation of altruistic surrogacy in Queensland. The key recommendations of the report included: that altruistic surrogacy be decriminalised in Queensland subject to a regulatory framework; that the government's role should include implementing legislative reform, including a mechanism to transfer legal parentage; that altruistic surrogacy arrangements should be unenforceable under state law; that a genetic connection between the intended parents and the child should not be a prescribed requirement; and that births are re-registered after the transfer of legal parentage for a child and children have access to their original birth certificate when they turn 18 years of age.

The report made no specific recommendation to legalise altruistic surrogacy for single people or same-sex couples. I want to put on the record my opposition to the Surrogacy Bill, which allows same-sex parenting, introduced by the Labor government that allows adults over 25, including a single man or woman or gay couples, to obtain a child of their own using reproductive technology allowing two women or two men to be the baby's parents. The Surrogacy Bill should have been about altruistic surrogacy for infertile heterosexual couples. But, no! Labor slipped in an oppressive proposal to deprive children of their birthright—their fundamental right to enter the world, as all of us did, with both a mother and a father. It is despicable and unbelievable that any government would try to deny a child of their most profound emotional need, and that is to have a mum and a dad in their life. It would be sad for a child to be brought up, with the support of government, asking what a mum is.

The United Nations Declaration on the Rights of the Child affirms that a child must not, save in the most exceptional circumstances, be separated from his mother, and Labor's bill does exactly that: in a premeditated way, a little girl shall live without a mother purely to satisfy the desire of two homosexual men to have a baby of their own. What then of the rights of the child? I support the Deputy Leader of the Opposition's private member's bill that allows surrogacy arrangements for married or de facto couples who have been together for two years, as exists under the Adoption Act 2009. Children born as a result of such arrangements would be cared for, protected and nurtured with input into the child's development

from both a mother and a father. Any other parental combination is not acceptable to the majority of Australians according to a Galaxy poll conducted in November 2009, which found that 86 per cent of Australians believe that, wherever possible, children should be raised by their biological mother and biological father. In the case of an eligible surrogacy, the child would be raised by both mother and father and would be subject to the same loving care as children born naturally.

The right, where it does exist, starts and finishes with the child, who has the right to be brought up with contributions from both male and female parents. Babies are not toys. They are future adults whose lives will have been shaped by their upbringing. Every generation has the responsibility to ensure that children are given the best possible start to life and continuing advantages throughout childhood. Rights and responsibilities are inseparable. The right to have a child cannot be separated from the responsibility to provide an optimum environment for that developing child. Overwhelmingly, Australians believe that is to include both a mother and a father.

Allowing single persons and same-sex couples to obtain a child through surrogacy will change the definition of a family. No government has the right to do that. Governments have a responsibility—in this case a responsibility to maintain accepted standards of morality and expectations within a community. Changing standards to suit minority groups is unethical and dangerous. This will be welcome news for those Queensland heterosexual couples who cannot naturally have children but who want more than anything to start a family and be called ‘mum’ or ‘dad’. As I said, changing standards to suit minority groups is unethical and dangerous. This equates to social engineering which will have far-reaching consequences. Social engineering is not the role of government, and the majority of Australians demand that government fulfil its obligations and responsibilities by protecting accepted values, not changing them.

The LNP’s legislation will ensure that the dream is kept alive for these Queenslanders through access to altruistic surrogacy. The LNP believes that proposed laws designed for hopeful mothers and fathers should not be tied to the passage of proposed laws pertaining to same-sex parenting and that all proposed laws must properly balance the rights of the child with the rights of the parents. I encourage government members to support the Family (Surrogacy) Bill introduced by the Deputy Leader of the Opposition and fully oppose the government’s Surrogacy Bill 2009.

Mrs CUNNINGHAM (Gladstone—Ind) (4.05 pm): This bill was always going to be an emotive issue, and it has proven to be that as we have heard not only from the contributions but also from the interjections today. In the debate so far we have heard arguments such as the past stigmatisation of children from racially mixed marriages and those who were born from illegitimacy. I agree that the stigma attached to both of those situations was terrible, and thankfully we have learnt from it. However, I believe there is a major difference in that the proposals in the Surrogacy Bill are, in some instances anyway, to give same-sex couples and indeed individuals access to children through the surrogacy process when in fact there could be no physical expectation of issue and that those children would be the result of a very complex and painful process.

Members opposite criticised the last speaker—I think in some ways accurately—and the comment was made that there was criticism of those who oppose the government’s bill but support the opposition’s bill simply because both bills are proposing to take a child from its birth mother. I believe that that is the crux, in some ways, of consideration for both of these bills. There have been some very caustic interjections that have been made on this issue. I have found during my time here that if an issue is an emotional issue or an emotive issue—like prostitution and embryonic stem cells—there are those who will criticise anybody who votes against the bill as being archaic, hypocritical and not really caring. My observation and my experience is that that is not the case and that people who argue either side of the debate will have strong feelings about it, but each of those groups should have their feelings, their views and indeed their emotions respected.

The member for Currumbin made an interesting comment when she said that becoming a parent is not a right but a responsibility, and I agree with her—it is also a privilege—and then she went on to say ‘for 18 years’. I do not know if my family is a bit odd, but I think it is a privilege and it is a responsibility for life. Indeed, when I am talking to my daughters and they may have something to say about what I have said or done, I just say to them, ‘You’d better get used to it. I’m your mother forever.’ There have been comments about the ease of parenting nowadays in relation to parenting toilets and mothers’ rooms or parenting rooms. It is a great step forward for us as a community to recognise that children go out with mum or dad and that some families only have mum or dad and that they need access to these facilities. I think it is a great step forward, but I also remain of the view that there are those of us who will oppose this legislation simply because we have concerns about the long-term impacts of the proposal and also the values on which the proposals are being made.

There has been some debate in this chamber about those of us who oppose same-sex couples being able to have children as not caring, or that we are homophobic. I believe that a person can have concern for another person but not condone their way of life or sexual orientation. I think that happens a lot not only among friends but also in families, where parents are confronted—and I use that word not in a harsh way, but it is confronting—with a child who says that they are homosexual or lesbian. For a

heterosexual couple, that is a huge adjustment to make. Parents may not condone that lifestyle but the love for that child in the main—not always, but in the main—will remain strong and intact. They will love the person but not necessarily accept and condone their way of life.

All of us, I believe, have received a lot of emails from people. Overwhelmingly the emails that I have received have been opposed to the Surrogacy Bill, but others may have received a majority in favour of the bill. I will quote from only a couple. One from Peter and Ann-Marie Koning states—

I am writing to ask you to please oppose the Surrogacy Bill, to ensure that all Queensland babies are given a chance to have both a mother and a father, and also for the following reasons:

- Surrogacy treats children as products, by planning, before they exist, to remove them from their birth mothers and hand them over to the people who ordered them.
- Every child needs a mum and a dad. While life sometimes doesn't work out that way, it is wrong to deliberately plan in advance to deprive a child of a mum or a dad.
- The Surrogacy Bill would give birth mothers fewer rights than those of relinquishing mothers under the Adoption Act. The bill would create a generation of lost children with an unsolvable identity crisis. Who will apologise to these children in 20 years' time?

That is the end of their email. Although there are many wonderful single parents, overwhelmingly they commenced as part of a couple. The children were born out of a relationship of love and care and for varying reasons the relationship deteriorated and ultimately failed. As I said, I think the overwhelming majority of these people start off as a caring husband and wife or a heterosexual couple. Being a mum and a dad is a difficult job. Being a parent is hard work, and I believe that children need both role models. I know that in the educational sphere there is always a push for more male teachers because so many students have only one person at home, and that is usually mum, and these children need a male role model. That issue is discussed in this chamber fairly regularly.

Being a parent can be heartbreaking. I listened to the Premier's contribution and the story she related about Michael and Kirsty. I believe that their experience is heart-rending. To lose one child is tragic. To lose three—it would be very difficult to know how they felt.

In this bill, it must be recognised that for each couple or each individual who gain a child, another person has to give up a child. A mother, except in the most exceptional circumstances, develops a bond with that little person carried in her womb. I am sure there would be a small number of women who could carry a baby to term and not develop a relationship with that baby. I do not know of any, but I am sure there would be some who could. But I believe that it is a God-given instinct that, as the child grows, the love, the care and the emotion for that child grows—for the mum in particular and the dad as well.

We have talked not only in parliament but also in other places about the need for dads to build a relationship with the child in a different way than mum does, because mum's relationship commences from conception in the womb. In recent years, by allowing dads to be present in the birthing suites, their ability to build a relationship with their children has improved. That has added a new dimension to families.

An open letter was sent to us by Kids Rights Count. I believe that other members have quoted from it. It states in part—

This Bill allows adults over 25 (including a single man or woman, or same-sex couples) to obtain a child 'of their own' using reproductive technology like IVF and a surrogate woman—and the birth certificate will be legally falsified to declare the single woman, or the two men, to be the baby's 'parents'.

It goes on to state—

That is wrong. We know—and the UN *Declaration on the Rights of the Child* affirms—that a child must not, 'save in the most exceptional circumstances, be separated from his mother', and yet this Bill will do exactly that, in a premeditated way.

It goes on to talk about a little girl who will live without her mother, and I would have to say that a little boy would live without his mum. I acknowledge that it happens, but to predetermine that it is going to happen carries with it, I believe, a price in the long term.

I certainly do not have all the answers to the criticisms, particularly by the Labor members, of those of us who will oppose this bill—and I believe that there will be some from both sides who will support it and some from both sides who will oppose it. I do have questions, though. Although we have children—and adults now—who have been born through the IVF process, I believe surrogacy is quite a different process. Do we know truthfully what the long-term psychological impacts are? Will we know the history of illness in the family in terms of hereditary factors? Indeed, will individuals' birth histories be known to ensure that people very closely related do not end up together? That is not something that is going to happen often, but it can happen.

Scientific and technological advances must be accompanied by values and ethics—foundation values within which decisions are made. The loss of a child, such as experienced by Michael and Kirsty, is a tragedy beyond words. To attend the funeral of a baby whose casket is the size of a doll's cot is heart-rending. My heart goes out to any couple who cannot, for very many reasons, carry a child to a successful birth.

I remain of the view that same-sex couples establish their relationship without any natural expectation of children. This bill is contrary to my personal values. Those who have spoken to me about the bill's contents were opposed to same-sex couples' and single person's access to a surrogate child, and the people who spoke to me are caring individuals. I certainly would not call them homophobic. I certainly would not call them uncaring. They are caring people. One person wrote to the *Observer* and called me old-fashioned, and that was in the context of a homosexual bar in Gladstone. I had not written anything. They just said, 'Why would you not expect homophobia in Gladstone when the member is so old-fashioned?' I have long-term faith based values. If having those values is old-fashioned, I am happy to be old-fashioned.

I find that this parliament can very easily compromise a person's dearly held faith and values. Despite criticism, which will come from some of those who support the bill, I will not be supporting the bill. Again, it is a very emotional issue. It is not an issue that will be resolved easily. Both bills talk about surrogacy. Both bills talk about removing a child from the birth mother. I do not believe that many of the ladies who offer themselves as surrogates understand, particularly if they have not had children, the bond that develops while a child is growing, and I will be opposing both bills.

Mr HOOLIHAN (Keppel—ALP) (4.18 pm): The Surrogacy Bill 2009 and the Family (Surrogacy) Bill 2009 are to be debated in cognate. I thank the Attorney-General for bringing the bill before the House and I have to commend the Premier for recognising that there is a group of people within Queensland who are currently denied legal rights—that being the children of a variety of relationships. These bills being debated in cognate does not do anything about the stench that could leave a sour taste in one's mouth in relation to the Family (Surrogacy) Bill. The bill from the LNP, which claims to form an alternative government in this state, seeks to exclude a proportion of the population from any legal rights.

I listened to the member for Gladstone. I know her point of view and respect that point of view, but I have to tell her that sadly in some instances she is wrong. I have acquired a copy of an interesting email.

Mrs Sullivan: Not a leaked email?

Mr HOOLIHAN: No, it was not actually, it is a copy of an email purporting to be under the hand of a Dr Mark Robinson, who is revealed to be the state member for Cleveland. Many of our offices in recent times have received suddenly demands on the basis that there will be no conscience vote. That email, sent on 9 February, reads—

Dear Friend,

It is with great concern that I write to advise you that TODAY Anna Bligh and the Labor government have started to force their social experiment with same-sex parenting on Queenslanders.

Bligh is using the government's numbers to push her 'altruistic' surrogacy bill through that promotes same-sex parenting. And this is just the beginning of the experiment with our children and families. What will likely follow, if a Bligh Labor government is re-elected—

I am not sure whether we are in an election campaign—

is same-sex parenting for adopted children and a further move to an acceptance of gay marriage.

Bligh will force her bill through today/tomorrow without offering a conscience vote. It is incredible that this is not a conscience vote. Bligh obviously does not trust her own MPs to support her social experiment and so will force it upon us all today.

The LNP's response—

Not Dr Robinson's—

has been to oppose the government's disastrous bill and to introduce a bill to allow surrogacy for married and defacto heterosexual couples only. However, unless Christian MPs within the Labor party stand up against Anna Bligh and cross the floor, then the government will win.

Can I urge you to contact your MP's office today—phone, fax—and ask them to vote against the government's bill. Can I also ask you to pray.

That may or may not be from Dr Robinson, the member for Cleveland, but his address is mark.robinson@parliament.qld.gov.au. I challenge him to stand up in this House and to deny the origin of the email. I think he should disclose who put him up to it. Because if we listen to what the Leader of the Opposition said at the finish of his speech it reveals his backing for this document. I would like him to explain, having regard to his comments today.

Mr Knuth: Just wait until he speaks.

Mr HOOLIHAN: He has already spoken. So has the member for Dalrymple. We should be embarrassed by his contribution. I am a firm believer in the law as it presently stands in Australia under the Marriage Act that 'marriage is the union of a man and a woman voluntarily entered into for life'. But this legislation is not about marriage. It is about the legal rights of children born to, or becoming the child of, one of many couples who do not live in the legal entity of marriage. Many people live in a variety of relationships which society accepts, including de facto and same-sex unions. We even have single

parents, father or mother, who provide the family. In fact, there is a generation of Australians, a lot of the baby boomers, who were brought up by a same-sex parent, certainly their mother because their father died in war. They were looked after by a variety of people. There may be people sitting in this House who do not agree with those relationships, but they are a fact of our community. Each of the people in those unions contributes greatly to our society and are accepted by the majority in each community.

Despite that acceptance, the law has discriminated against most of those couples through lack of support for proper rights of succession, property rights and superannuation, and the legal rights of the child to recognised parents. When I was practising law my firm assisted a number of same-sex relationships, lesbian relationships, to undergo IVF treatment. Any member who is a practising lawyer who has ever tried to make a will to recognise those rights knows that it is almost impossible because of the plethora of legislation and the denial of so many rights.

There are many children born to couples by a variety of means who live in Queensland but do not have any rights. All parents, whether they are married or in a de facto, same-sex or sole-parent relationship, provide love, care, housing and sustenance without any legal support. Lawyers practising in the family law area, and there are a number here, will be aware that in many cases the worst parenting comes from the accepted family grouping of husband and wife. There are very few cases involving same-sex relationships, there are certainly de facto relationships, but the biggest problem comes from husband and wife relationships. Any lawyer sitting here who tries to make a valid will really has major problems. I applaud the aims of the Surrogacy Bill, and I would like to see the Family (Surrogacy) Bill from the LNP consigned to the wastebin of history.

Misogyny and misandry are alive and well and living in Queensland, mostly residing in a number of LNP members who have this deluded belief that every person should jump to their strange belief that religion and state are still fused. Sorry to disabuse them of that belief, but Queensland has a large number of religious beliefs and we must endeavour to encompass all those beliefs in relevant legislation. Like the member for Burleigh, I do not believe that we as a legislature have a right to tell people how to live their lives. I have personal beliefs which I will follow in the exercise of my conscience which is allowed to me. If I vote in accordance with the demands of the many people—some of them, as the member for Chatsworth indicated, who have sent emails and have made contact prompted by the LNP homophobes on a basis which is overly offensive—who have tried to mould my conscience, I do not vote according to my conscience and my beliefs. Many people with deep and genuine beliefs have also spoken to me. I respect their views which were validly and reasonably put. They do have a genuine and deep concern, but they are still not my conscience. I must follow my beliefs. I support the Surrogacy Bill with its wide spectrum of safeguards. There are adequate safeguards. I do not and will not support half-baked and ill thought out legislation which is the hallmark of anything put up by the LNP.

The Premier acted to obtain the most comprehensive input from our community in relation to the proposals reviewed by the committee. Despite the rantings of the member for Currumbin, every person on that committee heard the same detail and reached their decision on that detail. As a matter of fact, and I refer to the second reading speech, in relation to the public comment on the bill the overwhelming number of respondents supported the proposed surrogacy reforms in the Queensland model. In relation to the detail of same-sex parenting, which was also reviewed by the Department of Justice, that review was publicly released for comment on 18 August 2009. The overwhelming number of respondents to the review supported the proposed reform.

I believe that the people of Queensland have spoken. I believe that the people of Queensland in the majority have shown that they support this bill. I commend the Surrogacy Bill to the House as good legislation which recognises the needs of all Queenslanders and reject the Family (Surrogacy) Bill.

Mr WETTENHALL (Barron River—ALP) (4.28 pm): I rise to support the Surrogacy Bill 2009. Until becoming a member of the committee of the Queensland parliament that investigated the decriminalisation and regulation of altruistic surrogacy in 2008, I must admit that I had given little thought to the issues surrounding surrogate parenthood. That was all to change because during the course of the committee's inquiry—but particularly after listening to the evidence and reading the submissions of people who are directly affected by the current state of the law in Queensland—it did not take long for me to reach the view that it was quite wrong for it to remain a criminal offence to enter into an altruistic surrogacy arrangement in Queensland.

I thought that that position at least would have been relatively uncontentious, not only in this House but also in the wider community. However, from the debate so far it seems that members of the opposition will not be supporting the government's bill, which achieves that purpose. The government's bill reflects an acceptance that there are many people in Queensland who desire to start a family but who, for a variety of reasons both medical and social, cannot do so. For them, resort to altruistic surrogacy provides the only realistic way of creating a family. In Queensland under this bill the people who will be able to access surrogacy will be intended parents who are a man and an eligible woman, or who are both men or both eligible women, or who are the sole intended parent whether a man or an eligible woman. An eligible woman is a woman who is unable to become pregnant, carry a pregnancy or give birth, or who would be unlikely to survive the pregnancy or birth, or whose health would be

significantly affected. It also includes the situation where, if the woman did conceive a child, the child would be affected by a genetic condition or disorder, or the child's life or health would be at risk by pregnancy or birth. Those conditions reflect the notion that surrogacy is an option of last resort for intending parents.

The committee's investigation heard that women who would seek altruistic surrogacy fall into three main categories: they are women in the assisted reproductive technology system, women without a uterus who are not accessing ART for obvious reasons, and women with high-risk medical conditions. From the evidence given to the committee it was estimated that approximately 50 Queensland women per year would fall into those categories. It is very clear from the evidence taken by the committee that the total number of women potentially seeking access to surrogacy will be very low. I believe this parliament should not deny this small but significant number of Queenslanders the opportunity to have a child and to raise a child in Queensland. We know that this desire is strong enough to cause people to move interstate to enter into surrogacy arrangements where it is lawful to do so. Why should we deny Queenslanders the opportunity to have a child in their home state, with access to the support of their family, friends and doctors and the services and supports with which they are comfortable and familiar? I do not believe we should deny people the opportunity to form a family in Queensland.

I acknowledge that one aspect of the bill that is more contentious than the decriminalisation of surrogacy per se is the provisions that enable same-sex couples to be eligible to enter into a surrogacy arrangement. Some Queenslanders believe that a child has a right to a mother and a father, and that this bill takes away that right in the case where a single man or a same-sex couple want to start a family. Whatever one's view of an ideal family composition, I cannot accept the proposition that a single man, a single woman or a same-sex couple cannot raise a child as successfully as a family consisting of a mother and a father. Like the Premier and other members, my own experience from having met single mothers, single fathers and gay and lesbian parents tells me so. All of the evidence strongly suggests that it is a home environment filled with love, care, compassion and respect that is the most important factor in a child's upbringing and wellbeing.

I am sure that all in this place are saddened and concerned that thousands of Queensland children are now under the protection of state laws because of abuse and neglect. The vast majority of those children come from what might be considered traditional families made up of a mother and father. Therefore, it is clear to me that a so-called traditional family does not guarantee a healthy, happy and safe home environment for children. Indeed, in modern-day Queensland a great diversity of family types raise children. As stated in the *Report into the investigation into the decriminalisation and regulation of altruistic surrogacy in Queensland*, more than one-quarter of children born between 1976 and 1983 spent some time living in a single-parent household by the time they were 18 years of age. The number of heterosexual couples cohabitating without marrying has increased. Blended families represent 10 per cent of all couple based families with children under 18 years. Nearly 4,500 children live in same-sex families nationally. Twenty per cent of lesbian women and 10 per cent of gay men are parents.

It does not matter what our moral beliefs are. It is plain and obvious that in Queensland people from all walks of life and with various lifestyles want to have children and will find a way and a place to do so. I believe that, in those circumstances, as legislators it is our obligation to provide a legal framework that regulates such arrangements in a way that protects the best interests of the child. Why should a child brought into this world under a surrogacy arrangement be treated any differently from any other child conceived by means of assisted reproductive technology? I strongly believe that all children born in Queensland should be equal in the eyes of the law and that the people who raise, love, nurture, care for and educate those children—that is, for all intents and purposes, the children's parents, regardless of their biological relationship and regardless of their sexuality—should be supported in carrying out their parenting responsibilities, not hindered, constrained or indeed criminalised by intrusive and unnecessary state laws and regulations.

I will comment briefly on the provisions of the bill that amend the Status of Children Act 1978 to recognise the lesbian partner of a child's birth mother as a legal parent of the child when the birth mother has undergone a fertilisation procedure to conceive the child with the consent of the lesbian partner. Under the current law, it is presumed that the child has only one parent, the birth mother. The amendments will provide for a parentage presumption for the female de facto partner of the birth mother. I cannot support the LNP bill that would restrict access to the transfer of parentage provisions to couples in a heterosexual relationship and make it unlawful for same-sex couples and single persons, as well as heterosexual de facto couples whose relationship is under two years duration, to enter into a surrogacy arrangement with a penalty of 100 penalty units or two years imprisonment applying. Unquestionably that is a discriminatory law that is illogical and inconsistent with other laws and practices of this state and cannot be supported.

As has happened in the past, some members opposite see this parliament as a vehicle to impose their own morals and world view. Fundamentally, I do not believe that this parliament has any legitimate role in dictating who may or may not start a family and raise a child in this state, because in the context of altruistic surrogacy arrangements there is not one scrap of credible evidence that children conceived and raised in this way are in any way harmed or at risk of harm, nor is there one scrap of credible

evidence that such arrangements in any way, shape or form harm society. I believe this to be the case regardless of whether the family is made up of a mother and father, a single mother or father, or a same-sex couple. Whilst I acknowledge and respect the variety of views strongly held in the community about these issues, my conscience leads me to support the government's Surrogacy Bill. I urge all members to support that bill and reject the Family (Surrogacy) Bill introduced by the Deputy Leader of the Opposition.

Honourable members interjected.

Mr SPEAKER: Order! Those members who want to carry on a crossfire, I understand the emotionalism in this. Take your crossfire debate outside.

Ms NELSON-CARR (Mundingburra—ALP) (4.39 pm): It gives me great pleasure to rise in support of the Surrogacy Bill 2009. I have to say that I have given a lot of serious thought to the debate. For me it has always been very clear-cut and straightforward and I welcome the legal changes. As a committed evolutionist, I had to consult with some of my Darwinian core beliefs with respect to the child-raising discussion. But surrogacy is not new in Queensland. It has and will continue to be a fact of life forever. But the regulations surrounding altruistic surrogacy have been seriously lacking and provide very little certainty for the child.

The transference of legal parentage in this bill has been addressed and no longer will altruistic surrogacy be illegal. Legal certainty and acting in the best interests of the child are the only way to go in a liberal democracy and indeed in an evolving society. We cannot have different rights for different people just because parents have made parenting decisions. Every family and indeed parent operates within their own values, and of course values differ widely from family to family. I am one of those ever-increasing examples of a departure from the so-called norm—that is, mum and dad, married with children. I was a single mother of four for several years but I made sure that my children were safe and much loved. We communicated with each other, we protected each other and we looked out for each other. Above all, we supported each other in a loving and caring manner. I was one of millions of single-parent families and I was never condemned for my sexuality or even asked where my predilections might lie. My sexual practices were never questioned and it would have been outrageous if they had been. Yet here we are in 2010 debating the rights of the child in relation not to love, care, safety and support but to the sexual practice of the child's parents. It beggars belief.

Any form of oppression is a form of injustice directed to a social but identifiable group. This is not an intentional injustice necessarily, but some core belief systems are based on stereotypes and/or religious affiliations. After much consideration, I can only say that all the arguments against surrogacy with respect to same-sex parents lends no credence to the wellbeing of the child living within that relationship. The evolutionary process has already occurred—a child has been born; biology has done its job—and if that child is raised by two loving, responsible and caring parents then that child will be the recipient of the necessary parental ingredients. The so-called traditional family model has undergone major change over time.

Mr Hopper interjected.

Ms NELSON-CARR: I heard your speech. You listen to mine. The so-called traditional family model that you espouse has undergone major change over time and the value laden arguments about what is a family and what constitutes a good parent—

Mr Hopper: It's people like you who try to break it down.

Ms NELSON-CARR:—however, as long as you are alive, are alive and well and largely unresolved.

Mr Watt: Did you hear what he said? He said, 'It's people like you who try to break it down.' That is unbelievable.

Ms NELSON-CARR: That is. That is why you are there and I am here.

Mr SPEAKER: Order! I would ask the honourable member to direct her comments through the chair and I ask the member for Condamine to cease interjecting.

Honourable members interjected.

Mr SPEAKER: Order! The crossfire interjection will cease. I call the member for Mundingburra.

Ms NELSON-CARR: Thank you, Mr Speaker, and I apologise. But the argument that is posed by some members like the member for Condamine is based upon the definition of a family as a heterosexual couple with defined gender roles. The reality is, however, that families can and do exist in many non-conforming and/or alternative ways. This in itself is reason enough for a change in the law and philosophies on which they are based.

The concepts of liberty, equality, relationship and care are the priority values, and they all impact on the rights of the child. Families created with the aid of technology, surrogacy, same-sex parents, unwed fathers' rights et cetera are part of laws that are inadequate; they are split and they are in need of major reform. As long as we model future changes on the confined and limiting definition of

heterosexual couples with defined gender roles then we are refusing to recognise the increasing number of family forms and parental rights issues that accompany them. But central to all of the propositions is that we must focus first and foremost on the child's needs and rights in determining parental rights.

We are all connected by our social and biological relationships, and these relationships must be acknowledged so that the rights of those relationships are not impacted negatively in this attachment to a family form that ceases to be the norm. Mary Lyndon Shanley in *Making Babies, Making Families* points out—

Whether by adoption or with the aid of reproductive technology, the many players in the creation of a family may include a genetic mother, a genetic father, a gestational mother, an (anonymous or known) sperm donor, an (anonymous or known) egg donor, and a lesbian partner of the woman who carries the child. In addition, various intermediaries also impact the family including the adoption agency, the doctor's office, the courtroom, the legislature, and society. Underlying all of these players is of course the child whose interests must not be compromised in efforts to ensure the rights of others.

The ways a family is created are undeniably growing which Shanley recognises as not only unavoidable but desirable as well—

While the number of family forms is increasing, so are the issues surrounding the rights of the individuals involved ... limiting legal recognition of parental rights to those with genetic ties or legal adoption rights, the rights of others that arguably are 'parents' are being ignored to the detriment of not only the adult, but to the child as well.

This is a strong and emotional argument, but I am pleased to add my support to the government by placing my conscience on the record in support of the rights of a child to live safely in a loving and caring environment where communication, love and support prevail. I commend the bill to the House.

Dr DOUGLAS (Gaven—LNP) (4.46 pm): This is one of those pieces of legislation that gives rise to very polarised views both within society and within parliament. It is a cognate bill which incorporates the opposition's Family (Surrogacy) Bill. The difference between the bills is the government's addition of access for same-sex and single parents. This is a proactive bill and it is obviously seeking to bring Queensland law into sync with those laws of similar types in other states of Australia. It also brings us closer to the laws in North America and the United Kingdom.

The reforms in this bill have indeed been the subject of intensive public consultation. What was not said in the second reading speech of the Attorney-General is that the decision to include surrogacy for same-sex parents was driven not by advice from expert panels but from within the Labor government itself. On such a difficult yet very important issue of altruistic surrogacy, to extend the law to address populism demeans the role of expert panels and ignores the policy of governing for all. This is the key fundamental difference between the government and opposition bills.

There is enormous medical support for surrogacy. The decriminalisation is reasonable and sensible in a modern society. To enable the transfer of a child from a birth mother to a family is reasonable. To facilitate the change of laws to allow this is only sensible. The intention of the bill is a surrogacy arrangement where a woman—that is, the birth mother—agrees to become pregnant and to relinquish the child to another person or persons—the intended parents—who will be the child's parents or parents by law. Commercial surrogacy is to remain banned.

The majority of these arrangements are not social. They are due to obstetric disability. These include a lost uterus, cancer sufferers, those who have severe pelvic pain and a variety of other uterine illnesses precluding pregnancy. In most cases, the husband will be the sperm donor, the mother will supply the egg and the surrogate will supply her own womb. Clearly, they who supply the womb and carry the child are deemed under the law to be the mother. This raises all sorts of further issues that I would like to raise. This is a divisive policy that has been added to the bill. It is the issue of same-sex couples and single persons being included in altruistic surrogacy and intended parents.

Before members from the government benches start to become accusative and irritated, what they should be irritated about is not so much same-sex access but enforceable action certainly regarding the transfer of children from the surrogate to the parents and that the Attorney-General has said that the surrogacy arrangement is otherwise unenforceable.

This is a very serious issue, because in the United States there are many cases where the intended parents refused to take a child who is less than perfect. This can have horrendous consequences for all but mainly for the child involved. The nature of the bill should, and must be, about the child. Many of those who are seeking access to surrogacy have fertility issues. Their DNA, even when mixed, is not always as healthy as that of couples who do not have the great gift of being able to conceive without assistance. These potential surrogate parents have a higher risk of potential problems when it comes to their children, and it is totally unacceptable that the willing surrogate should have to keep that child and manage the problem because the intending parents refuse to accept it. Equally, the surrogate should not be able to petition to keep the child against the wishes of the intended parent.

The Premier has thrown out a challenge to the opposition, asking why if same-sex couples have access to IVF they should not have the same access to surrogacy. I intend in medical detail to explain to honourable members why her argument makes little sense and is impractical. I agree with the Premier regarding the legal transition of a child on their birth certificate and most other points, other than male

same-sex relationships. Members need to open their minds and clearly have it explained to them why they are misunderstood. Premier, we share common views so much here. Please do not make this any harder than it ought to be.

I believe that Labor has no mortgage over the same-sex constituency, and I also believe this applies to same-sex couples when they clearly understand what is medically possible, what is probable, what is impossible and what is reasonable. Then they will accept that medicine is trying to resolve many things at once but progress is incremental. Mistakes occur when the envelope is pushed and people of honourable intent but great aspirations fail to appreciate the down side and the risk when things go wrong—as they do in obstetrics.

I would like to explain why I have difficulty with the government's populist attachment in this bill that not only weakens the bill but also medically is nonsense. The law states that she who carries the baby is legally the mother and can determine who the father is on the birth certificate. She may or may not include that name as the father on the birth certificate, and the birth mother may have no genetic connection to the baby. Even if donor sperm is supplied by a homosexual male and the egg is supplied by a donor mother, this birth mother is still the legal mother because she carried the child in her womb. These are the realities of medical fact, and I will go through them in a little more detail.

Males do not have wombs. Males can donate sperm. Sperm donors are widely available, and there is no shortage of donor sperm. Males cannot mother a child—that is, carry a child in their body. Therefore, homosexual males cannot be the legal mother of a child. Males can only be the fathers ever. But lesbian women can be both mother and father. In this case, under the way the law is to be written, the father is the partner of the legal birth mother—that is if the mother chooses to have that recognised on the birth certificate. That is not always the case.

The amendments to the status of children will allow a lesbian partner of a child's birth mother to be the legal father of that child. Lesbian mothers can and do access donor sperm for children already. The legal battle was actually won in favour of the doctor's position, but subsequently lesbian mothers now freely access donor sperm, and this is a reality. Lesbian women can have sex with a male to achieve a pregnancy and frequently do so. I am sorry that sounds so disgusting. Lesbian women can also be self—that is, sperm—donors and access safe sperm insemination under medical controls, and they do so regularly. Therefore, most issues are about the transfer of parentage.

Conventional couples and a lesbian pairing pass what we would describe as both tests—those tests being able to provide an egg, sperm and a viable womb in some, but not all, cases. Male homosexuals cannot pass both tests. Egg donors are few and far between, and this is the critical point. There is a five-year wait. After waiting five years, the test for getting donor eggs is very, very tough, whereas sperm donors are freely available. It stands to reason that homosexual males place an unreasonable burden on the system that makes surrogacy a sound concept. They legally cannot be mothers so they should not be included. That said, we need to get over it and get used to it. We need to move on. Let medical facts guide your decision.

I am sorry to say that homosexual males must be treated as a separate group and for medical reasons alone must not be included in this bill. If the parliament feels so strongly, it should refer the matter to a public committee and take all advice at the time. I would have preferred that Labor supply an amendment to suggest this process. It is not too late to do so now. Despite all the difficulties, there is a clear way forward here. As with most things, compromises have to be made. These compromises have occurred in the past, but they do not appear to be occurring at the moment because women are having children later in life. They are wanting to have a baby later than their biological clock allows.

It is not always due to a weakening of a society's fundamental values or a secular society. We respect the parenting roles. It has gone on and on here today. Parenting roles are diverse, but children generally do need a mother and a father, both biologically and socially. I concede that 30 per cent of all families are single-parent families, but it does not seem appropriate to engineer a statistic that can be avoided.

Surrogacy is an appropriate solution for many but it is not for all. Some wish to exclude themselves and some, as I have indicated, exclude themselves by virtue of their position or their sexual preference—by virtue of being male in this case and having a male partner. It is tough, but egg donation cannot be perversely discriminated in favour of one group of society because they demand it. We have plenty of examples in medicine, such as transplantation, where we donate on the basis of need and priority. Males who feel aggrieved have the choice of reaching an agreement to inseminate willing females, but that mother will always be the child's mother by virtue of her egg—in that case—and her carrying the child throughout the pregnancy. She is the legal mother of the child.

Parliaments and their members in all these types of situations need to see that this is an appropriate forum to decide what laws we will provide for our courts and our communities to guide their actions, but in return the community expects a very high standard of consultation and reflection and for each individual member to be representative of what their communities are wishing.

I welcome the Labor government's submission on the bill. I fail to understand how it cannot give its own members a conscience vote on both bills here today. The major difference between the LNP bill and the Labor bill is the government's addition of same-sex and single-parent access to a much needed obstetric area.

There is no substantive reason submitted by any member that provides any justification for this step at this time. I must also add that the Labor bill will make demands upon the system that in most cases cannot be met, especially male same-sex couples demanding access. Honourable members must not pretend that they do not understand human biology, medical reality and the concept of providing care to those in need and those whose need is greatest. Who amongst you feels they have a higher knowledge and a greater right? The opposition's surrogacy bill preceded the government's hasty response. The choice for members is between what is needed and what is practical. The alternative is pandering to a constituency that I doubt has a uniform view.

I greatly respect people's sexual preference choice, and I would never wish to interfere in their lives. I see this very much in medical terms. I hold the right of the mother and their child very dearly, like all medical staff do and learn as they are training. I will do everything I can to protect that, at whatever personal cost to myself.

Similarly, I understand that the precursors of life—that of the infant concerned—must be respected, carefully managed within the laws and be only used with the consent of the donors in a fully informed manner. I uphold the right of the medical system to be apolitical and provide independent care, free of vested interests. That medical care should be provided within guidelines that should be universally agreed upon and be the basis of need and medical excellence. That is the appropriate step in this case. Having a baby is an option. It is not the same as suffering an illness or a disease that afflicts one for no good reason. Having a child is usually a voluntary decision.

Laws applied here regarding altruistic surrogacy must be reflective of all these major points I have raised. However, it must be remembered that it is a voluntary step in an area where many wonderful members of our community are seeking to help really needy couples have a child of their own. For many, it is the greatest gift that can ever be received. No-one has the right to place themselves ahead of a more deserving couple also seeking a child where one couple is far more easily provided for within the system. Furthermore, the introduction of a law which demands that the medical system must choose between the demands when it is clearly obvious one choice is near impossible to deliver—that being male couples—is flawed. Is this Labor government wanting to see our fertility groups and obstetricians routinely sued in the courts any more than they already are? Remember, many obstetricians are currently being sued by people for completely normal deliveries. I ask you to be sensible here and reject the Labor bill and support the opposition bill. Members will be gravely assisting their constituents. Any arguments put forward to government members who may have freedom within their party or by party members will be forgiven. Remember, they should put the interests of the child first. They are never wrong when they make that decision.

Dr ROBINSON (Cleveland—LNP) (5.01 pm): I rise to speak to the cognate debate on the Family (Surrogacy) Bill 2009 and the government's Surrogacy Bill 2009. I will be voting against the government's bill and for the private member's bill.

At the outset, I commend the Deputy Leader of the Opposition, Lawrence Springborg, for his work in developing this private member's bill. Unlike the government's bill, this bill is based on the longstanding principle that the needs of Queensland children are paramount. Application of this principle means that children should come first in the context of this debate on the decriminalisation of surrogacy.

Further, I wish to congratulate the Deputy Leader of the Opposition on his work in separating the issues of surrogacy from same-sex and single parenting. He rightly pointed out that surrogacy is a unique issue that deserves to be debated openly and separately so that it is not lost in a socialist debate on social engineering.

The original intent of the surrogacy legislation was to assist eligible infertile couples to have children—nothing more, nothing else. Yet today we are asked to vote for a social revolution that will forever deprive children of the basic right to start life with both a mother and a father and, in so doing, confusing the meaning of 'parent'.

Based on the public response alone that I have received at my office and directly, the vast majority of our population understands that the issues of surrogacy and same-sex parenting are two very separate debates and they want them separated. I appeal to those Labor members to consider what the vast majority of Queenslanders expect of them in this regard, not the views of a certain minority lobby group.

Today I intend to be entirely consistent with the views that I espoused in my maiden speech and in my speech on the Adoption Bill 2009. Honourable members may recall me speaking about the importance of traditional family values in our society.

I note that the opposition's bill is in keeping with the recommendations from the bipartisan parliamentary committee charged with investigating the deep moral and ethical issues of altruistic surrogacy. I note, as others I believe have, for the public record that LNP members raised concerns about certain aspects of Labor's policy and that consensus on some aspects was not reached, despite ALP reports to the contrary.

I turn to normalising same-sex parenting. It is disappointing that the government's bill has been hijacked by the gay lobby. The government's bill has been aptly described by Family Council of Queensland President Alan Baker as a Trojan Horse for the normalisation of same-sex parenting, saying that it established in law the absurd proposition that two men or two women are the same as a mother and father. The government's bill is the first step in the normalisation of gay parenting. Can I ask what next? If re-elected, will a Labor government change the adoption law to make same-sex parenting legal? What next, forcing gay marriage on the public? Where does this Labor experiment end?

I turn now to general comments or public concern about surrogacy. Many church groups, Christian organisations and individual Christians have expressed their concerns about the government's Surrogacy Bill and some general aspects of surrogacy itself. They are concerned about what they see as the legal and relational complexities, the blurring of family relationships and disruption to relationship links between marriage, conception, gestation, birth and motherhood, which are important to human identity. The Australian Christian Lobby states—

ACL sympathises with the pain of infertile couples, but believes the benefits of surrogacy for some parents are outweighed by the negative impact surrogacy can have on children.

Let me read a letter that we all, I believe, received today from the Reverend John Bathersby, Roman Catholic Archbishop of Brisbane. He states—

Dear Mark

I am writing to express my concern about the Surrogacy Bill 2009 about to be debated.

While I understand some of the concerns behind the Bill, I believe that if the Bill seeks to address all requests it may do more harm than good.

As was made clear in our submission to the Parliamentary Inquiry, the Catholic Church does not object to decriminalising altruistic surrogacy as regards the surrogate mother and the commissioning parents. However, as you are aware, this Bill goes further than simply decriminalising surrogacy. There is a real concern that it is shaped largely for adults, without equal concern for surrogate children and their future.

The Catholic Church finds it difficult to support legislation which places a child in a situation where there is no mother and father as would normally be expected. It is difficult to know in advance the impacts such legislation may have on children, or the damage it may do to the institution of the family which is the foundation of our society.

He goes on to say—

In a statement made in Rome only this week Pope Benedict XVI said to the ... Council for the Family ...

'The best chance children have of developing properly is found in a family because of the uniquely complementary roles played by husband and wife ... they need to dwell, grow and live with both parents, because the maternal and paternal figures complement one another in the education of children and the formation of their personality and identity.

It is important, then, that everything possible be done to ensure they grow up in a united and stable family.'

He goes on to conclude his letter by saying—

As you exercise your conscience vote on this issue I ask you to think of the wellbeing of all children. My good wishes and prayers go with you as you prepare to make enormously important decisions.

With every best wish,

Yours sincerely

Most Rev. John A Bathersby

I understand the concerns of the Christian community expressed in this letter and other letters that I have received, and I do share many of their concerns. However, in my view, having considered and weighed up this matter carefully, a very limited form of surrogacy should still be allowed for would-be mum and dad couples who cannot naturally have children. In that sense, I support the bill put before the House by the Deputy Leader of the Opposition.

As stated by the deputy opposition leader, his bill makes certain that Queensland children born through an eligible surrogacy arrangement will be cared for in a safe, stable and nurturing family and home life right throughout their childhood. Further, the guiding principles of the bill promote openness and honesty about the child's birth parents and encourage the development of the child's wellbeing, both physical and emotional. It puts the security and welfare of Queenslanders born through a surrogacy arrangement in the same league as those children who are not.

What about parenting as a human right? The Premier's express view is that adults should have the opportunity to be parents. She said—

... my government's ultimate aim is to ensure that all people who want to be parents have the opportunity to do so ...

That is an interesting comment—that is, that her ultimate aim is that all people should have the opportunity. She goes on to say—

... each and every Queenslanders who wants to become a parent should be allowed the opportunity to do so. We will do this because anyone who is unable to conceive a baby but who wants to become a parent should know—

I emphasise 'should'—

the joy of bringing a child into the world ...

In making this statement, her proposed model clearly places the desire of adults to have children above the rights of children. I disagree with the Premier, because no adult has the right to a child. Parenting is not a universal human right.

Ms Grace: It's a human right!

Dr ROBINSON: Children are a gift, not a commodity to be owned. I take the interjection about parenting being a universal human right. I looked at lists of international human rights issues, and for every list that I looked at there is not one that says that to be a parent is a universal human right that all should have. Let me list some of the universal human rights: adequate housing, civil and political rights, cultural rights, democracy, rule of law, detention, development in terms of good governance, rights to do with disabilities, economic—

Government members interjected.

Dr ROBINSON: Some members opposite seem to have a problem with this list of universal human rights. I am still going through the list: human rights in relation to those with disabilities, economic human rights, human rights to do with education, food and nutrition, freedom of opinion and expression, freedom of religion and belief. These are all from standard listings of internationally recognised human rights, so I suggest that you take up your argument perhaps in those circles if you differ from that.

Mr DEPUTY SPEAKER (Mr Wendt): Member for Cleveland, you will direct your comments through the chair.

Dr ROBINSON: The list continues: freedom of opinion and expression, freedom of religion and belief, women's rights and gender issues, health, Indigenous rights, minorities, rights with regard to poverty, racism, slavery, torture, violence, water and sanitation. There are more exhaustive lists. I have cut many out just to save time, because this is not an attempt to list every universal human right that exists. If I did, we would be here all day. The point is that there is not a universal international list that says to parent a child is a universal human right. There are human rights to do with parenting but not in being a parent.

What is missing—to become a parent, that there is some right where one can say, 'I want a child and therefore I deserve a child'? There are rights of people who are already parents, but there is no universal international right for an adult to be a parent. Parenting is not a universal human right. But children have the right to start life with a mum and a dad, and the private member's bill protects that right and places the rights of children ahead of adults. There is a whole range of lists in terms of international human rights to do with the rights of children—yes, for children to have love and care and parents. You can find that in a whole range of lists to do with the rights of children. If you go and have a look you will find out.

Government members interjected.

Mr DEPUTY SPEAKER (Mr Wendt): Order! Member for Cleveland, it is difficult for me to protect you if you continue to direct your comments across the floor. Members on my right, cease interjecting! Please direct your comments through the chair.

Dr ROBINSON: The private member's bill will provide the legal framework for altruistic surrogacy for married couples and de facto heterosexual couples, ensuring young Queenslanders born through an eligible surrogacy arrangement will be cared for in a safe, stable and nurturing family home right throughout their childhood.

What about the best interests of the child? According to the government's Surrogacy Bill, the best interests of the child are supposedly at the centre of the government's policy. It says that the government's model is underpinned by the main principle that the best interests of the child are the paramount consideration. However, there are only a few short references in the entire government bill to a child's best interests. So there is little of real substance in the document itself to suggest that any real consideration has been given to the welfare of the children. What about complementarity of mum and dad in the best interests of the child? The government's bill denies that children are best served by having both a mum and dad in their lives. Research clearly shows that children develop best, both physically and emotionally, when they are reared in a stable heterosexual mum and dad family. Further, not only do mainstream academics hold that view but the general population—86 per cent has been quoted in one survey—believe that children are best served by living with a mum and dad.

I come to the conclusion that this government has been here far too long and that it has forgotten who it exists for. When 80 per cent or so of Queenslanders say no to asset sales, what does this government do? It powers on regardless and says, 'Who cares!' When 86 per cent of Australians—and we would assume that that is reasonable of Queenslanders—do not want this form of Labor's bill, Labor's answer is, 'Who cares! We're powering on anyway.'

To deliberately set about to deprive a child of their mother and father, as the government's bill does, is to subject a child to a social experiment, one to which the child is unable to consent. Under this bill, for example, two men can create a situation where a baby will live their whole life without a mother,

just because they want to call a child their own. The mother would cease to exist in law for the child obtained by a single man or homosexual couple. The father would cease to exist in law for the child obtained by a single woman or lesbian couple. The natural bonds of family and belonging would be destroyed by the legal implications of this bill. It is an absurd proposition that two men or two women are just the same from a child's perspective as a real mother and father.

What about the disparity between surrogate children and adoptive children? The government banned same-sex and single parenting from its Adoption Act. I ask the question: why is that different for the Surrogacy Bill? The eligibility requirements in our bill for altruistic surrogacy are in line with the Bligh Labor government's adoption requirements and reflect the need to put the best interests of Queensland's children first. In conclusion, if the vote goes through today and the vast majority of Queenslanders' views—the public—are ignored, the LNP has made a commitment that, upon forming government at the next election, we will reverse this piece of legislation. We will follow through with what we have said in our bill and we will reverse the legislation. The LNP will reverse Anna Bligh's social revolution at the next election. In summary, I do not support the government's bill but support the private member's bill that allows surrogacy for married and heterosexual couples.

Mr MESSENGER (Burnett—LNP) (5.18 pm): The timing of the introduction of this bill is purely political. It did not need to be. There is no doubt that the government's bill is being rushed through the Queensland parliament without proper and honest community consultation because the Premier knows that she is fast running out of time as the leader of the Labor Party and therefore so is her ability to impose a radical socialist agenda, which is essentially only shared by her Labor Party faction—the Left—and the Greens political party. As a result, we have the presentation of a bill which is so unpopular with and so little understood by the overwhelming majority of ordinary Queenslanders.

The example used by the Premier, of Kirsty and her husband, in order to add credibility to her argument for her bill is regrettable. It is dishonest and desperate to use a legitimate reason for surrogacy to distract and mask the illegitimacy and obvious dangers to children of the Premier's argument and the legislation. The Premier deliberately failed to mention in her speech that Kirsty and her husband's sad personal situation could have been solved by the measured, balanced and fair surrogacy legislation presented by the Deputy Leader of the Opposition, which I support. The Premier has used disgracefully, unremorsefully and in a mercenary manner a legitimate reason for surrogacy for her own selfish, egotistical, ideological, socialist agenda.

I am alarmed by the glib simplicity and the paucity of the Premier's arguments and the arguments of those other members opposite, which can be distilled down to approximately four or five catchphrases. 'Any adult in Queensland over 25 should have the right to parenting if they wish.' Why is the Labor Party discriminating against 18-year-olds? Why would the state be involved in what are generally the private affairs of individuals? Because there are children's lives at stake. 'If you agree that it is not a crime then you should let Queenslanders decide for themselves.' That opens the ethical door for paid surrogacy. 'All children deserve to be treated the same.' 'It will bring Queensland into line with the rest of the Australian states in a legislative sense.'

Let us look at the other states' legislative and legal argument. I commissioned a Parliamentary Library brief that looked at the legal status for those interested in surrogacy. I table a copy of that Parliamentary Library report, which I received yesterday.

Tabled paper: Email, dated 9 February 2010, attaching Queensland Parliamentary Library Client Information Brief regarding the legal status for those interested in surrogacy [[1713](#)].

According to the latest parliamentary information from the library, in South Australia, under the Family Relationships Act, surrogacy is illegal. The report then gives the relevant surrogacy legislation references. The report then goes on to state in relation to New South Wales—

The relevant legislation is the Assisted Reproductive Technology Act 2007. Sections 42-44 describe commercial surrogacy arrangements (which are prohibited). In addition, Section 45 states:

'A surrogacy agreement is void whether made before, on or after the commencement of this section.'

This does not mean, of course, that altruistic surrogacy does not occur in NSW; it is currently unregulated and any 'agreement' would not carry the force of law.

Tasmania

The Surrogacy Contracts Act 1993 is silent on permitting altruistic surrogacy.

West Australia

Under the Surrogacy Act 2008

... Transfer of child's parentage

19. Circumstances for seeking parentage order

...

- (a) the arranged parents reside in Western Australia and at least one arranged parent has reached 25 years of age; and
- (b) ... (i) the arranged parents are an eligible couple;

And in subsection (1)(b) it states—

eligible couple means 2 people of opposite sexes who are married to, or in a de facto relationship with, each other and who, as a couple—

(a) are unable to conceive a child due to medical reasons.

In Victoria the intending parent must be married or de facto and heterosexual. That is the latest information that I have received from the Parliamentary Library. It would seem to contradict the argument from the Attorney-General that we are just going into line with the other states.

I do not believe that most Queenslanders have a proper understanding of the meaning of surrogacy. We need to consider those glib Labor catchphrases in the light of a very simple definition of child surrogacy, which the Attorney-General supplied, and that is that a surrogacy arrangement is where a woman—the birth mother—agrees to become pregnant and to relinquish the child to another person or persons, the intended parents, who will be the child's parent or parents. If the state is going to allow a baby to be taken away from its birth mother, then the state better be absolutely sure that that baby is going to a safe home—a home where the child has every chance to be loved and where they can thrive and prosper. Right now, the minimum standard that the state sets for a definition of a safe home is one where a loving and committed heterosexual couple, who have been together for a minimum of two years, are allowed the privilege of having that baby, and even after that screening process there are failures.

This legislation significantly lowers—in fact, it shatters—the minimum standard that the state has already set for a safe home for a child. This legislation allows a baby to be taken away from its birth mother and given to a single man, which means no immediate hope of a mother. This legislation allows a baby to be taken away from a birth mother and given to a single woman—no immediate hope of a father. This legislation allows a baby to be taken away from its birth mother and given to two gay men—no hope of a mother. This legislation allows a baby to be taken away from its birth mother and given to two lesbians—no hope of a father. Whatever the reason or circumstances motivating or medical technology enabling a child surrogacy, surrogacy still involves taking a baby away from its birth mother and it is fraught with moral, ethical and physical dangers to both the baby and the birth mother, no matter what deals have been agreed to before the birth.

Take, for example, the stolen generation. The stolen generation involved children being taken away from their Aboriginal birth mothers. Are Aboriginal or Torres Strait Islander women going to be used as surrogate mothers? Once those babies are taken away from those Aboriginal and Torres Strait Islander birth mothers, is there any requirement that they be raised in a culturally appropriate way? Or does that not matter, because the surrogate children will not be considered Aboriginal, even though they had an Aboriginal birth mother? Will this legislation allow an Aboriginal birth mother to give away her baby girl, for example, to a single man, or to two men, or to two men and one woman who decide to live in a committed relationship? Where are the limits on the types of social and personal arrangements that are allowed by this legislation? There is no limit. It is open slather.

In a desperate bid to not be politically incorrect, or accused of discriminating against some adult and their sexual preferences, we as legislators are forgetting about the children. It is when you start to ask these serious questions about this legislation that you realise how hollow, false, glib and mercenary the clever socialist catchphrases of the Premier and other members opposite really are.

It is the best interests and the rights of an innocent child, who cannot speak for themselves, to protection that must always be taken into account and put first in surrogacy legislation—not the perceived civil rights of some 25-year-old single person who wakes up one day and feels like they want to become a parent but it is too much of a hassle to try and, first of all, fall in love and then live in a committed relationship. If you fail those tests, I would suggest that is nature's, and millions of years of evolution's, way of saying that you are not ready for children right now and that, if you do manage to have children, the chances of their continued wellbeing and survival will be lessened.

Why has the government chosen the magic number of 25 in order for people to qualify for surrogacy? If we use the government's naive argument based on the dignity of all citizens being free from unlawful discrimination, would not all Queensland adults aged 18 to 24 years and 11 months who are excluded by this legislation feel as though their dignity had been taken away from them and that they had been unlawfully discriminated against? Those people are old enough to join the military, fight and die in wars overseas for our rights and freedoms, which include child surrogacy, and yet the Labor Party has just told them, 'You may be old enough to fight and die overseas but you are not old enough to be the intended parent or parents of a surrogate child.'

Debate, on motion of Mr Messenger, adjourned.

MOTION

Sale of Public Assets; Call for Production of Documents

Mr LANGBROEK (Surfers Paradise—LNP) (Leader of the Opposition) (5.30 pm): I move—

This House:

- notes that widespread public sentiment exists that the Bligh Labor Government concocted a plan to conduct a series of privatisations before the March 2009 election, but deliberately did not reveal those plans as part of its election strategy;
- notes that the Premier has selectively quoted from a Cabinet document from October 2008 which included a recommendation to sell a number of Government assets; and
- calls on the Premier to immediately table in the House a copy of the Cabinet submission, notes of the meeting where the submission was tabled and discussed, and the minutes of the meeting where a decision on the submission was made.

This debate is about trust. The people of Queensland do not trust Labor; they do not trust the Premier, the member for South Brisbane, and neither should they. The reason Queenslanders do not trust Anna Bligh and the Labor Party is because before the last election when the government knew that the worst ravages of the financial global financial crisis were on their way to our shores it started taking advice from Treasury on the likely effects of the global financial crisis and what would be required to happen in response.

We need to look at what was happening in late 2008. The Queensland budget was in meltdown, the midyear fiscal and economic review was to be released in December with a downgrading of the budget bottom line from an \$800 million surplus to a \$54 million surplus. Of course, the 2007-08 final result was soon to be announced as a \$1 billion loss for the year. By February 2009, some months after, when the economic and fiscal update was released on the eve of the election, the 2008-09 budget had gone from an \$800 million surplus to a \$54 million surplus to a \$1.5 billion deficit. Of course, that was later revised as well thanks to some budgetary measures. Treasury estimates changed it a number of times. That is another reason the people of Queensland have lost faith in this government in terms of budget projections and predictions that are changed month after month.

Over the forward estimates, according to the economic and fiscal update, Queensland was going to see about a \$12 billion deficit. There is no denying that at that point in time things looked bad and the government panicked. Panic was coming from all quarters. Kevin Rudd, the Prime Minister, writing in *The Monthly*, said capitalism was dead. So the government put together a final solution to deal with the out-of-control debt. We must not forget that \$64 billion of that debt was there before the global financial crisis. Obviously, according to the facts contained in this motion that we have been able to ascertain over the last couple of weeks, the Treasury advisers were called in and were begged for a solution, and a solution they gave. The members of the cabinet were told that the 2009-10 budget would need to include major cuts and new taxes, such as a fuel tax, perhaps cutting public sector costs, perhaps redundancies from the SES or raising more taxes in other forms. Worst of all, they were told very clearly that the next budget would need major surgery. They had to remove the debt cancer that was eating at the heart of the Queensland budget. Obviously that major surgery would have to include, amongst its options, \$15 billion of asset privatisations. According to the Treasury advisers there was nothing that could be done—it had to be a major sale of assets.

Cabinet sweated on the decision. It knew that a raft of privatisations would be politically unpalatable to the Queensland community. It knew that Labor could not win an election with that kind of burden. Worst of all it kept it a secret. Cabinet members knew that it would not be found out for 30 years, by which time they would all have retired to the lobbying or the public speaking circuit. Sell on, the government cried to the Treasury boffins. Four months later on that date in February the Premier got on YouTube and announced that the GFC was going to wipe out Queensland and she had to have an election immediately.

What she did not say was that she did not want to publish the 2009-10 budget before the election. The Premier, Anna Bligh, hid her plans from the people of Queensland. She actually said to them, 'You can count on me. You can rely on me that I will actually create 100,000 jobs for 100,000 breadwinners'. Since the election we have seen major increases in registration, a fuel tax—all the things that Queenslanders are very aware of—increases in electricity charges and water costs that have gone up far more than the rate of inflation, and these are all plans that were part of the consideration. The Premier said to the people of Queensland at this difficult time, 'You can count on me', when clearly that was not to be the case. She did not take Queenslanders into her trust that privatisations were unavoidable as she is happy to claim now.

The question is why should the people of Queensland trust her? Now, of course, we have the member for Mount Coot-tha, the Treasurer, saying that we can trust him and his band of merry men as they claim that the only way, following their poor management, to give Queenslanders new schools and hospitals is to sell the assets that we currently engage in in this state. What he is doing is actually robbing the people of Queensland of assets and prosperity which they already own.

The Treasurer and the Premier are putting jobs at risk because this government had too much debt before the global financial crisis started. Queenslanders need to be made aware of the fact that ever since the Premier became Treasurer of Queensland on 2 February 2006 this government's forward debt has gone from \$22 billion to \$85 billion in barely six years.

Tonight the opposition, the LNP, on behalf of the people of Queensland are demanding to know the truth. We want to know what the government knew in October 2008. The people of Queensland demand to know the truth on this matter. When the Premier last week selectively read from that cabinet budget paper to say this is the thing that proves that we had no knowledge of what it was that we were planning, but then is not prepared to read from the whole paper that clearly adds to the element of mistrust that the people of Queensland feel. Normally those opposite claim that things in cabinet will not be revealed. Clearly that has been changed by this Premier selectively reading from this cabinet budget paper. Queenslanders demand to know the truth of the matter. Queenslanders are tired of the half truths, the mistruths and the no truths from this Premier.

When it comes to financial responsibilities today we saw the Minister for Child Safety and Minister for Sport unable to answer questions about the A1GP. If a government cannot run a car race how can it run the budget in this state? Labor has shown its inability to manage the budget. I mentioned this morning in my private member's statement the lack of ministerial responsibility. It is exemplified by the Minister for Transport time after time when asked to answer questions about responsibilities within her portfolio and what she knew about privatisation matters. She is unable, unwilling and unprepared to answer the question for the people of Queensland via the parliament.

The people of Queensland are sick of the excuses. They are sick of the lack of accountability. The Labor Party has had information on its website that states that the assets being sold are less than one per cent of the total Queensland government assets. Information provided by the Treasurer, the member for Mount Coot-tha, says that \$15 billion is less than one per cent of \$200 billion. That is the sort of Treasurer that we have: someone who cannot give basic information and do mathematics that anyone in grade 5 can do. No wonder we are in the fiscal situation that we are currently in in this state when we have a Treasurer who is unable to do basic mathematics on an information sheet.

The government has also refused to reveal the proofs and other aspects of the myths and facts sheet that was also taken to cabinet saying that that was a cabinet-in-confidence document that would not be released. The people of Queensland need to have trust in the government of the day, they need to make sure that the people making decisions when they go to an election tell the truth about what it is they are going to do. The government cannot keep spending more money than it has. This government made out on the eve of the election that everything was going to be great.

Mr Fraser interjected.

Mr LANGBROEK: The Treasurer is carrying on in his particularly mature way as he is wont to do. It is very obvious that Queenslanders need a leader who will take responsibility for problems and deal with them; not misrepresent the situation on the eve of an election and then change commitments before the writs are even returned. For Queenslanders to think that this Premier went to an election and then said on the day after the election, 'Things are much worse than I thought they were', absolutely beggars belief. The people of Queensland have lost trust in this government. We are determined to provide an alternative in terms of trust, integrity and accountability as opposed to a Premier who maintains they are accountable but clearly by her actions you shall know them. The people of Queensland know exactly the truth about this Premier and about this Labor government.

Mr SPRINGBORG (Southern Downs—LNP) (Deputy Leader of the Opposition) (5.39 pm): I rise to second the motion moved by the Leader of the Opposition. Last week the privatisation cat was well and truly let out of the bag when it was revealed that this government had concocted a plan to sell off crucial public owned assets as far back as 12 or 18 months ago. There is no doubt that last week the level of deceit, betrayal and mistrust emanating from the opposite side of the parliament reached a heightened level. One could not believe a single thing that the Premier said and even less of what the Treasurer said in their mealy-mouthed attempts to palm off the revelations made last week.

We should ask members of the community if they believe any of the assertions that the Bligh Labor government did not know about its intentions to sell Queensland Rail, Forestry Plantations Queensland, Queensland Motorways Ltd or our ports before the election. The community does not believe the Premier or the Treasurer. Why not? Because they are absolutely unbelievable and they have been proven to be unbelievable based on the FOI information that came out in the last week or two. We have the unbelievable situation where the Premier has tried to selectively quote cabinet documents to say, 'We really weren't going to sell it because Treasury said it was not a good idea because of the height of the financial crisis,' yet the Premier's shoulder parrot refused to say whether there was another recommendation from Treasury that when things improved the government should sell it all.

The reality is that before the state election last year this government concocted a plan to sell off publicly owned assets. It planned to sell off Queensland Rail. Queensland Rail has been proudly built up, owned and supported by the people of Queensland since the 1860s, but because this government cannot manage the economy it wants to sell it off. As we know, if the government sells that asset for

\$7 billion that will pay only 18 months worth of interest on the enormous debt that typically and predictably results from Labor government mismanagement. Queensland has that debt because of the quandary of mismanagement that is so typical of the Labor Party in Queensland. It is predictable that the Labor Party would leave the state \$85 billion in debt. It will sell Queensland Rail, but that will only pay for 18 months worth of interest. Talk about selling the family silver to pay the grocery bill! This is nothing more than that. This is not about building tomorrow's Queensland today; this is about mortgaging tomorrow's Queensland today and leaving future generations to try to pay it off.

It has been incredible to listen to the Premier and the Treasurer as they have concocted a web of mistruths over the past 12 months. This Treasurer was the Treasurer on 20 March last year. At that time he said that everything was hunky-dory. He said that we were going through a little bit of a glitch but it was well in hand. There were no plans for privatisation. There were no plans for bringing in a Queensland fuel tax. Guess what? Something happened in the two days between 20 March and 22 March. On 22 March the Treasurer walked back in here and said, 'It's all gone. There's no money left. I don't know what happened here in the past two days, but it's all gone. It's all disappeared and dissipated, and now we will bring in a fuel tax and we will have to sell off everything that Queenslanders have owned over the past 150 years. We will have to put up registrations and every conceivable tax, charge and fine in Queensland.'

No-one believes them. They have not accounted for the \$34 billion in windfall revenues they received between 2000 and 2008. If we take their worst-case scenario, which is the loss of \$14 billion as a consequence of the so-called global financial crisis, they still have \$20 billion up their sleeve, but apparently that has gone into the ether as well.

Following the worst gloom-and-doom predictions from the government, what did we see? The Treasurer brought down his midyear budget review. Lo and behold, what did it show? It showed record revenues, record deficit and record debt! Based on what they predicted, the revenue was up, the deficit was also up and there was record debt in Queensland. That is why we need access to these documents.

(Time expired)

Mr Lucas: A bit light on tonight!

Hon. AM Blich (South Brisbane—ALP) (Premier and Minister for the Arts) (5.44 pm): They are very light on. I move the amendment circulated in my name.

That all words after "public" be deleted and the following words inserted:

- "understanding exists that the global financial crisis wiped out future government revenues in Queensland, around the nation and around the world;
- notes that the Premier released the full details of the State's finances immediately prior to the last election—an unprecedented disclosure; and
 - calls on the Leader of the Opposition to immediately table in the House a copy of their alternative economic plan."

The Leader of the Opposition asks: what did the government know about the economic circumstances facing Queensland in October 2008? In October 2008 the Queensland government knew what almost every other person in the world knew, which was that the global markets had collapsed. We knew that the market had effectively closed and that jurisdictions around the world, including Australia, were moving to guarantee bank accounts. Those were unprecedented times. Yes, the world was worried. Yes, governments around the world were panicking because they did not want to see their economies collapse. Everybody knew this—everybody except the LNP.

Do honourable members remember the glory days of the leadership of the member for Southern Downs? Time after time after time he stood in this place and said, 'There's no crisis. There's no recession. I don't know what you're talking about. It's ridiculous.' When we said that we would have to go into deficit to keep people's jobs, what did the member opposite say? He said, 'We won't go into deficit. No, we'll be front-ending jobs and making them de-necessary.' That was the economic alternative offered to the people of Queensland at the end of 2008.

When we knew that there was an economic crisis facing the world, what did we do? We looked at what it meant for Queensland's finances and we told the people of Queensland about that. We issued the midyear review and told them in full what was happening. In the lead-up to the last election we took the unprecedented step—a step that no other government in Australia took—of revising our estimates. Again we told the people of Queensland how difficult was the budget and the financial situation facing us. We faced the sort of choices that governments around the world have faced, and every government has made its own decision. However, choices had to be made.

Of course Treasury provided advice at every point in the global financial crisis. What responsible treasury would not? Of course Treasury canvassed every possible option and provided advice on whether those options were suitable. What were some of the options we were given? We could have dramatically cut jobs. We could have cut services. We could have cut the benefits that we provide to senior citizens. We could have dramatically raised taxes. We had choices to make and we had the courage to make them.

We unashamedly say that we chose to build 240 new kindergartens over growing trees for a private timber company. We unashamedly say that it is the role of government to build more passenger networks and passenger trains and let global coal companies run their own transport businesses. We chose to keep our building program going to keep Queenslanders in work. What was our policy? We unashamedly stood for jobs, as we stand today. We will create 100,000 jobs this term. Watch us do it! Just watch these 100,000 jobs being delivered, because they are making a difference right now.

Opposition members interjected.

Ms BLIGH: They are like Chauncey Gardiner: they like to watch because anything else will be too difficult. What do we hear from those opposite? We hear nothing but breathtaking hypocrisy! The first two speakers—and we will hear it from the rest of them—rail against debt and then list every budget and the ideas they have for more debt in their own electorates. They rail against it, they look for more of it and they have no plan for reducing it. We have a plan. People know what it is. We are implementing it and we will create a stronger Queensland.

I must say again how much I appreciate the insight of the member for Beaudesert, who said—

The Liberal National Party has no right to attack the Bligh government's controversial assets sales plan unless it can point to alternatives.

The member for Beaudesert is absolutely right. It is fair enough if members opposite do not like this, but what is their plan? They do not have one. Their breathtaking hypocrisy on this matter is the same as it is on every other serious issue facing Queensland. All day we have seen breathtaking hypocrisy from former Liberals on matters before the House in the form of the Surrogacy Bill, and we see it again on the economy. We are building a stronger Queensland.

(Time expired)

Hon. PT LUCAS (Lytton—ALP) (Deputy Premier and Minister for Health) (5.49 pm): I second the amendment moved by the Premier. No area of public policy more clearly illustrates the changing nature of the role of government over time than health. Governments are required to provide better quality, more expensive, higher tech services as time goes on and, as the population grows and as it ages, we are required to deliver more and more. That is the future of government expenditure—providing core services for our growing and indeed ageing population and improving the quality of those services.

Here are some sobering facts. According to Commonwealth Treasury's *Intergenerational Report 2010*, the proportion of Australia's population aged over 65 will almost double over the next 40 years, from 13 per cent in 2003-04 to 24½ per cent in 2044-45. In fact, it has already doubled in the past 40 years. The Australian Institute of Health and Welfare has pointed out that between 2001 and 2011, while the Australian population grew by 12 per cent, the population over 65 grew by 30 per cent. Life expectancy of a child born in 1965 was 71; for a child born today it is 81.

Our Queensland Health performance reports indicate that our emergency departments see on average an additional 50,000 patients each year. Over the past five years the number of patients treated in our EDs has grown by over 23 per cent—far in excess of population growth. Our hospitals admit into wards on average an additional 35,000 patients each year, and our surgeons on average provide an additional 4,000 occasions of elective surgery each year. This is the future demand of a population that is getting older and will have greater requirements for health.

The current cancer incidence rate is that one in two men and one in three women will get cancer by age 85. The problem is that as the population ages more and more people will get to 85 and go past that. The number of new cancers diagnosed each year increased by 25 per cent from 1994 to 2004 and cancer diagnoses will continue to increase by more than five per cent each year. Breast cancer incidence has risen over 20 per cent from 1996 to 2006. According to the Australian Institute of Health and Welfare, in terms of cancer incidence projections in the decade from 2001 to 2011, for Australian women the number of new cases of cancer is projected to increase by 29 per cent.

Mr Seeney: Is this the ministerial statement you should have read this morning? You've got the wrong speech. You brought the wrong pages.

Mr LUCAS: One of the real problems is that you ignore demographics. You ignore reality. More than half of all cancers diagnosed in Australia today are successfully treated—that is a 20 per cent increase from 20 years ago. The inflation rate for healthcare costs is tracking at twice the rate of CPI at seven per cent and health indexation has risen faster than inflation eight years in a row.

What have we done about it? We have doubled the number of medical interns between 2005 and 2010. We have hired an additional 12,600 doctors, nurses and allied health professionals. We have given nurses a pay rise of over 20 per cent in less than five years, a pay rise of over 20 per cent to junior medical officers between 2005 and 2008 and a pay rise of 17½ per cent to senior medical officers in that same period. This is all about choices. This is about demographics that those opposite ignore. This is not just about the level of debt and the current financial situation we are in today. It is about what we are facing around the corner. It is about what those opposite are prepared to condemn the future aged people of this country to by their failure to face reality in this debate.

Actions speak louder than words. I heard the joke of the most ineffective federal transport minister—and that is saying something—Warren Truss, who could not even deliver on a road in his own electorate, criticising the state government for the privatisation of QR's coal business the other day when he was a minister who sat around the cabinet table when they sold Australian National railways. What was the basis of their sale of it? You can sell it to anyone—except QR could not buy it because they did not want a government owned entity buying it. That is what they did when they were in power. The Deputy Leader of the Opposition has the gall to go on about what people said to whom, when he was part of the party that supported John Howard, who did exactly the same thing in relation to the goods and services tax after he was elected. When Michael Caltabiano was in this parliament, he went from boardroom to boardroom telling them what they were going to do in terms of selling them QR.

Over the next five years QR will be obliged to spend \$7 billion in capital expenditure; our health capital program is \$6 billion alone. A complete coal train costs \$50 million; an intensive care bed costs \$1 million a year to operate. I say let the international coal companies build the railway lines. Let them pay for the rail wagons. Let them do what they should do. In the meantime, governments must do what governments must do, and that is providing for those things that will be in ever increasing demand—that is police, that is hospitals, that is teachers. In a world of climate change deniers, those opposite are demographic deniers and their track history in federal government shows who they are as well.

Mr NICHOLLS (Clayfield—LNP) (5.54 pm): Tonight we have had a very diverting and diversionary argument. We have had the Premier come in and say it is all about courage—courage to make the tough decisions but not the courage to go to the electors of Queensland and say, 'This is what we are planning to do and will you pass judgement on our plans?' She has no courage to put her policy to the people and say, 'Here it is: pass judgement on it,'—no courage to explain what they were going to do.

This motion tonight—the motion moved by the Leader of the Opposition and the motion being sought to be changed by the government—is fundamentally about trust and about honesty. It is about whether the people of Queensland should trust this government, this Premier and this Treasurer. Plainly and overwhelmingly, the people of Queensland have lost faith in this government to tell the truth. There has been a fundamental breakdown in the democratic compact between the people and the government. Why? Why have they lost faith in the government to tell the truth? Let us look at the facts as they came out.

In late 2008, the government came out and said, 'We're going into the red.' Then in early 2009 they said, 'We're going into the red by \$1.6 billion.' That is the extent that they were prepared to take the people of Queensland into their trust. We now know that in October 2008 Labor had been briefed on the prospect of assets sales. The idea had been expressly canvassed in a Treasury briefing given to the Cabinet Budget Review Committee. The government knew that it was live and that it was an issue. This briefing note was prepared while the Cairns and Mackay airports were being sold. When the government said, 'You wouldn't be able to sell a tin shed,' they were actually selling the Cairns and Mackay airports. The question we have to ask is: did they get the price that they should have got for the Cairns and Mackay airports or is their story false?

Mr Fraser: That you voted for.

Mr NICHOLLS: We were deceived by this government as well because you came in—

Mr Fraser: Oh, you voted by accident!

Mr NICHOLLS: I asked the specific question: 'Is this a good time to sell?' and the Treasurer said yes. So the government should not come in here and say that it was a bad time to sell, because the Treasurer came in and said, 'This is a good time to sell.' It is in the *Hansard*.

Then we come to February 2009 and the loss by Labor of Queensland's AAA credit rating. So the government lost our AAA credit rating. We then had the election called. What happened during the election campaign? What did Labor, what did the Premier and what did the Treasurer say? They said, '(1) we have no plans for assets sales; (2) we will be keeping the fuel subsidy—there will be no fuel tax; and (3) we will create 100,000 new jobs for 100,000 breadwinners.' Then they were elected and then what did they deliver? They delivered a fuel tax which makes us the most expensive capital city in Australia to buy petrol—8c a litre more expensive than, say, Perth. They started delivering on assets sales—they made a commitment to sell assets—and they have seen unemployment rise, so we are now the unemployment capital of Australia. After deceiving the people of Queensland, removing the people's right to pass judgement, the government proceeded to do exactly what it said it would not do.

At the heart of it all was the privatisation agenda. The people of Queensland are entitled to know when this government considered privatisation, when it came forward and said, 'This is a live issue that we want to consider.' All we had in the lead-up to the election was a single piece of paper—

Mr Springborg: With six lines on it.

Mr NICHOLLS: A single piece of paper with six lines in its entire policy costing and the government ask, 'What was the LNP doing?' Well, there is a 34-page document that we put out with everything line by line by line. They ask, 'What's your policy?' Well, there is the document that we put

out that contained our policy. What did Labor put out? Nothing—a ‘trust me’ situation. The Premier and Treasurer selectively quote from this document of October 2008. They claim that it is commercial-in-confidence, that it is cabinet-in-confidence, that they do not want to set a bad precedent by doing so. They use the contents for their own purposes but refuse to disclose the entire document to the people of Queensland to tell them their thinking.

Then they move this motion, with this complete distortion that future revenue was wiped out by \$12 million, but they fail to say they were relying on the rivers of gold that were coming in from the coal boom and the mining boom. It is a complete lie. Revenue this year is up on last year, and the MYFER shows that it is up on the budget projections. This is about truth. This is about honesty. The government needs to comply with the motion moved by the Leader of the Opposition.

(Time expired)

Hon. RG NOLAN (Ipswich—ALP) (Minister for Transport) (6.00 pm): I never thought I would see the day when I would stand in this House to reply to the member for Clayfield as he argues vociferously against privatisation, as he stands in here, hand on heart, and tells us that he does not believe it is appropriate that the private sector should be able to move coal from privately owned mines to privately owned or operated ports. But that is exactly what we are hearing tonight. What we are also hearing tonight is historical revisionism from the LNP at, frankly, its most desperate.

Let us revisit the history of the 2009 election. Let us all recall, as Queenslanders do, that that election occurred in the midst of the most serious economic crisis that the world had seen since the Great Depression. Let us remember that what this government did was open its books to the people and go to an election campaign promising to build infrastructure and create jobs. Let us remember that this opposition, this LNP, argued that there was no global financial crisis and committed to cutting jobs—the worst thing you can do in tough times. This LNP might be trying to argue something different, but Queenslanders well remember Mr Springborg scratching his head and telling us that his strategy was to make Queenslanders’ jobs ‘de-necessary’. That history cannot be revised now.

Since the election, the government has made some difficult decisions and those decisions allow us to focus purely on the future—to build infrastructure, to provide services and to create jobs. That is what we are doing. Today alone we have announced 20,000 new bus seats for Brisbane every week. Since the election, we have recently put on 868 extra seats a day on trains on the Gold Coast line. We have extended the railway line from Robina to Varsity Lakes. We have opened two new major busways. This is public transport infrastructure alone. We have proceeded with the Gold Coast Rapid Transit project. We are proceeding with building the next stage of the Eastern Busway. We are building a marine precinct in Townsville and an ocean ship terminal in Cairns. Right across the state we are creating jobs and building the transport infrastructure that this state needs for its future. We are focused on the future and we have a plan.

Do we stand in stark contrast to members of the LNP? I think it is fair to say that we do because, in stark contrast, LNP members promise bits of unfunded transport infrastructure in their electorates all the time, hoping that the rest of the state will not notice. We have seen the member for Maroochydore promise a rail line to Redcliffe—with an asterisk and in small print ‘Subject to global financial crisis’. We have seen the member for Beaudesert promise a standard gauge passenger service with no mention of a funding source at all. We have heard that the member for Indooroopilly wants to straighten out all the railway stations which happen to be on a bend. All across the state LNP members are promising to their constituents little bits of infrastructure or service with no funding plan and hoping that those things will not be noticed within the broader political context.

Politics is about choices. What this opposition is fundamentally dishonest in doing is suggesting to people that somehow you can have everything—that you can have a bus service here, a railway line there and you do not have to make any difficult economic decisions. That is what they are doing, and that is fundamentally dishonest. Politics is about choices. This government is making tough but entirely justifiable decisions, and our decisions are building Queensland.

Ms SIMPSON (Maroochydore—LNP) (6.04 pm): It is a bit rich hearing the transport minister claiming that this is all a good idea and that she is all behind it, when on 21 May she claimed in this House that Queensland Rail was not for sale.

Ms Nolan interjected.

Mr Hinchliffe interjected.

Ms SIMPSON: I have news for you, sunshine: I knew that Queensland Rail and the transport department were leaking like a sieve because of this government’s plans to flog off Queensland Rail. That is why I asked the question in the parliament. Yet the minister was so out of touch or not telling the truth that she claimed she did not know. Then a few days later in the *Sunday Mail* there it was—the plan of this government to sell off Queensland Rail. The big question here is: who knew what and when? When did this government really plan to flog off the assets of Queensland? If you wanted to know the true answer to that question you would not ask the Minister for Transport because her lack of knowledge does not exonerate the government in regard to its plans.

We knew in May that this government was looking at flogging off Queensland Rail. For the minister to claim that she had no idea clearly does not stack up. Premier Anna Bligh told Queenslanders before the last state election that they can count on her, but, as they are finding out, you cannot count on a Premier who does not tell Queenslanders about her secret plans to flog off state assets until after the election. Her No. 1 policy priority was, 'Don't tell people your secret plans.' The Premier did not trust Queenslanders to know, so how can they trust her now?

The government has also said that people's jobs in these government owned entities are safe, but, once again, the Minister for Transport in this place refused to guarantee her own job. She refused to put it on the line if a job went. We are already seeing that in a number of areas people's jobs are threatened, as has been outlined by my colleague the member for Toowoomba South, who told us that two workers have been sacked and other jobs casualised in Toowoomba. In many other places people's fear about their livelihoods continues to extend.

Most Queenslanders believe they were misled by this tricky, sneaky Labor government. The only jobs that this Labor government cares about are their own. It is only their own jobs that they care about. People have been misled by the Premier and her Labor government over their plans for a highly controversial plan which has caused a great deal of anger and distress, particularly for workers whose livelihoods are on the line.

There is a simple way that the government can prove its honesty or dishonesty tonight and that is to release all the documents, particularly prior to the election, regarding the advice it has taken about the asset sales and its decisions. Release all the documents. That is what our motion is calling for: a release of the advice that the Premier has received, not her selective quotations. The Premier is very good at selective quotations, but she does get herself a bit tied up in knots. On the one hand she is saying that we should trust her that they did not intend before the last state election to sell these assets. Then in the estimates hearing the Leader of the Opposition questioned the Premier about this. He said—

... why did you choose to hide the possibility of asset sales during the election campaign and deliberately mislead the people of Queensland?

The Premier replied—

... we made it very clear that these were the sort of things that might have to be contemplated.

Now we have the government claiming that it had no plans before the last election to sell those assets. They cannot have it both ways. That is why people are really angry. They do not like being misled. They do not like being told one thing by a government and then after the election a totally different thing happens.

This Labor government has been milking the state owned assets, the assets that actually do have the potential to return money into the coffers of Queensland. However, it has also built up significant debt against them by running them down and not maintaining them. It has bled the milch cow and now it is wanting to slaughter it and eat its meat. That is not how you fix the budget.

This government could not run a blooming chook raffle. The answer that it has given before this House does not satisfy us that it is going to turn the budget around and restore the AAA rating that it disgracefully lost. As we have heard, the sale of Queensland Rail alone would pay for the peak interest bill for only 18 months.

(Time expired)

Hon. RE SCHWARTEN (Rockhampton—ALP) (Minister for Public Works and Information and Communication Technology) (6.09 pm): Getting a lecture on honesty and truth from those opposite is like getting a lecture on table etiquette from a pig. Do members opposite need any evidence of that? They should ask Mr McLindon what happened when he told the truth last week. Eight grand out of the kit—gone. He is sitting up the back there like a pariah. Ask Mr Messenger what he got for seconding him in their party room the other day. I do not know what he lost out of his pay, but he is sitting up there like Fu. He will be up in the men's lavatory next if he has to go anywhere.

The member for Clayfield asked when we considered it and said that Queenslanders are entitled to know that. I can tell him exactly when we considered it. This matter was considered on 1 June by the cabinet of Queensland. That afternoon it was taken to the caucus and considered by the caucus. That is the relevant date. That is how government works. The decision was made on 1 June. That is the day that cabinet discussed it. Cabinet debated the issue on that day. When those documents are released they will prove that once and for all.

I know that the members opposite struggle with parliamentary democracy and they think the constitution is something that is optional. The fact is that the way this government runs is that cabinet makes a decision. We do not accept all the advice that comes to us over a long period.

Let us go back to the Fitzgerald report which was brought down when members opposite were in government. What did it suggest? That everything should be privatised! Was that the decision? Did the Borbidge government make that decision? No, it did not. It considered it, but it did not make that

decision. The reality is that every single thing, such as QBuild and all of those entities that are still in the opposition's manifesto, is still under consideration by the people who sit over there, but they are not decisions that have been made, although I am sure they will be decisions once those opposite come to this side.

Other speakers have outlined the circumstances under which this difficult decision had to be made. Let me tell honourable members, it would have taken about 10 minutes for a Tory cabinet to consider this—gone, no worries, not a problem. It was something that was agonised over in our part of the world. There is one great cornerstone and that is the welfare of the workers. That is not like the situation faced by my dad when he worked for the state works department—out the gate with a week's pay in his kit. Old Norm Lee privatised it and gave it to all the big contractors in Queensland. Poor old dad was out the gate with a week's pay in his kit. That is the opposition's model for privatisation. It is no wonder that workers are terrified of privatisation using its model. That is the reality of it.

Let us go to what the opposition would do. What is it going to do? I want one of them to stand up here tonight and say they will never privatise anything. They should stand up here tonight and say they will never privatise anything. I know that prior to the last election the then Leader of the Opposition went to the boardrooms around town at a particular law firm. People who were there told me that he was very interesting because he talked about privatisation. The old forked tongue is out here wagging tonight. It looks like a lizard's picnic. The fact of the matter is that not one of them is game to get up tonight, rule a line in the sand and say, 'We will never privatise everything,' because they know they would get flogged to death in their branches if they did. Here is their chance—let us see if they are mug enough to do it or if they have the guts to do it—to take on their party and say, 'We will never privatising anything,' and then tell Queenslanders where they are going to get the money from to run this state. Where are they going to get the money to do all those things that they say need to be done? Where are they going to get the money to run a health system? Where are they going to get the money to run an education system? There is absolute dead silence because that is the great unanswered question. We will look after the workers in a privatisation process. We will ensure that they have job security.

(Time expired)

Mr SEENEY (Callide—LNP) (6.15 pm): The motion before the House tonight had its instigation in the widespread anger that is sweeping across Queensland. It is an anger that had its genesis in the decision that was made by the Bligh Labor government immediately after the election. It was a decision that the people of Queensland quite rightly can assume, as we said in the first part of the motion that was moved by the Leader of the Opposition, was part of a plan that was concocted before the March 2009 election to conduct a series of privatisations but deliberately withheld from the people of Queensland until after the election. That was the instigation for this motion before the House tonight.

It is a motion that gives the government an opportunity to address that anger and that frustration that is out there in the community. The people of Queensland can tonight judge the government by its response to this motion before the House. The government's response confirms the fact that this plan was concocted. It confirms the righteous anger that the people of Queensland feel about the way that they were duped and deceived. The government has confirmed its deceit by its inability to address the motion before the House. It has confirmed its dishonesty to the people of Queensland because it refuses to take the opportunity that this motion provides for it tonight. It has refused, as the motion calls for, to table the documents that would prove its case, that somehow or other it only discovered the need for this particular course of action after the election. Nobody believes that. No-one in Queensland believes that and it is a level of dishonesty that this government will not get away with.

This is the second time that the Premier has been given the opportunity—once in a public forum she quoted from an individual document but only quoted a little bit and would not quote the rest. She refused the opportunity that was offered to make the document public. Now here in the parliament, in the people's House, the Premier has been given the same opportunity again, the same opportunity to address the concern out there in the public arena and the Premier has failed to do that. By failing to do that the Premier has confirmed the dishonesty and the deceit of her government. It is a dishonesty and a deceit that will haunt this Labor government from now until the next election, until the people of Queensland have an opportunity—the only real opportunity they will have—to take action to address the deceit that was visited upon them.

Have no doubt that this motion before the House is not about the rights and the wrongs of the particular policy decision that the government took. The motion before the House tonight is about the honesty or otherwise of the government. It is, as the member for Clayfield said, all about trust. It is an opportunity for the government to restore the trust of the people of Queensland. It is an opportunity for the government to demonstrate that it has not been dishonest to the extent to which everybody in Queensland now believes that it was during the election campaign when it rushed off to an election six months early before its horrific financial situation became obvious and before it had to take some decisions about it.

That is the truth that has been confirmed tonight, and it has been confirmed here in the Queensland parliament for everyone to see. There were a number of speakers on the other side of the House who could not even bring themselves to address the question of the government's dishonesty, who could not even bring themselves to take the opportunity the government has had here tonight to set the record straight to prove the case.

The member for Rockhampton got up and said that the first time this was discussed was at the cabinet meeting, but he refuses—just as the Premier has refused—to table the documents that would prove that. Of course, nobody is going to take the member for Rockhampton at his word. No-one is going to take the government at its word, because the government has destroyed any trust that the people of Queensland could have had in it in the past. The Premier said on election night that the people of Queensland could count on her. The people of Queensland have very quickly learned that they can count on the Premier to deceive them and to be untruthful and to refuse to be honest with them, and they will not forget that.

(Time expired)

Hon. AP FRASER (Mount Coot-tha—ALP) (Treasurer and Minister for Employment and Economic Development) (6.20 pm): I rise to support the Premier's amendment. The Leader of Opposition Business is right: this does go to the core of what the people of Queensland want, and what they want from a government and from an opposition are policies. They want a policy and they want a plan for what they are going to do about the future.

Let us go back two steps here about what it is that the opposition is wanting. Every single government in the Westminster system relies on a system of cabinet—relies on the collective responsibility of cabinet and the confidentiality of what goes to cabinet. David Solomon, a person who—no doubt after I give his recommendation he will be pilloried by those opposite—is well regarded by the media in this state and is the current Integrity Commissioner and the architect of Australia's most advanced right-to-information laws, said in his report—

Every country and every sub-national government that subscribes to the Westminster system has included within their freedom of information laws special exemption for Cabinet documents.

If members want to know why there is such hypocrisy from those opposite, they only have to go back to 13 January 1998. On Tuesday this week this Premier—this government—tabled in full ministerial expenses for this government. On 13 January 1998 what did the Liberal and National parties do at that time? They started shipping ministerial expenses to cabinet, saying that they needed to be protected from public scrutiny. So the last people who can come in here and ask anyone to reveal cabinet documents are those people who trawled them through into the cabinet room to cover up their own expenditures—to cover up what the member for Warrego was up to in his bedroom attached to his office, to cover up what all of them were up to at that time.

Those opposite should not come in here and ask us to reveal cabinet documents when they will not reveal a policy, when they will not reveal who voted against the Deputy Leader of the Opposition and when they still will not reveal who paid \$20,000 a plate to sit and dine with them when they thought they were home and hosed—that great tragedy of your own individual making that you still cannot come to terms with. The reality is that you come in here and ask for something and offer nothing, and the people of Queensland see it writ large. They see a government with the courage to stand up—a government that, as I reminded the House earlier, in an unprecedented way put before the people of Queensland the complete state of the state's finances in a way that had never been done by a government before, a government that introduced into the House which those opposite opposed a Charter of Budget Honesty Bill that remains on the *Notice Paper*. The minute those opposite say yes, we will bring on that debate and we will have a charter of budget honesty for the next election. But will they oppose it? Yes, they will, and that is why the debate will not start. When they agree that they will support the Charter of Budget Honesty Bill to fully cost campaign promises before the next election, that debate will start. When they come in here and put up an alternative economic plan, that debate will start, because by offering nothing they condemn Queenslanders to an extra \$25 billion worth of debt than our plan.

We have a plan to strengthen the state's finances, to improve the balance sheet, to relieve the budget of the future pressures. And what is their plan? Their plan is to do nought. The reason they are proposing to do nought is that every single person in here and outside of here knows that they do—always have and always will—support privatisation. They have a Leader of the Opposition who has supported the concept of privatising schools in here before. They have a shadow Treasurer who has supported privatisation here before and even supported privatisation going further. But my favourite, as ever, is that great quote from the former shadow Treasurer. I wish he would come back, because at times at least he had a few views to put forward, but I presume he is out to lunch with Des Houghton once again. The member for Moggill said in October 2006—

Sometimes we need to sell government owned assets in order to ensure that they are competitive and grow to the benefit of the state; that also sometimes means we need to sell government owned assets in order to reinvest those funds in more urgently needed infrastructure that it is more appropriate for a government to own.

That is exactly what we are doing, and in doing so we will protect the rights of workers. We will give the workers of QR in particular a future to be part of a great Australian company. Those opposite come in here and protest about it but offer nothing. But amongst the loons and spivs and ex-lobbyists that they have amongst their caucus, who come in here and pretend to oppose it so much, there is one who proposes, silently and secretly, to oppose it so much that he wants to put money in his back pocket through it. When the Leader of the Opposition comes in here and explains that, then he can ask the next question.

(Time expired)

Mr SPEAKER: I would remind the Treasurer and members in general of the parliamentary protocol not to refer to people who are absent from the chamber. There may be very good reasons that people are absent from time to time from the chamber.

Division: Question put—That the amendment be agreed to.

AYES, 50—Attwood, Bligh, Boyle, Choi, Croft, Dick, Farmer, Finn, Fraser, Grace, Hinchliffe, Hoolihan, Jarratt, Johnstone, Jones, Keech, Kilburn, Lawlor, Lucas, Male, Miller, Moorhead, Mulherin, Nelson-Carr, Nolan, O'Brien, O'Neill, Palaszczuk, Pitt, Reeves, Roberts, Robertson, Ryan, Schwarten, Scott, Shine, Smith, Spence, Stone, Struthers, Sullivan, van Litsenburg, Wallace, Watt, Wells, Wendt, Wettenhall, Wilson. Tellers: Darling, Kiernan

NOES, 38—Bates, Bleijie, Crandon, Cripps, Cunningham, Davis, Dempsey, Dickson, Douglas, Dowling, Elmes, Emerson, Flegg, Foley, Gibson, Hobbs, Hopper, Johnson, Knuth, Langbroek, McArdle, McLindon, Malone, Menkens, Messenger, Nicholls, Powell, Pratt, Rickuss, Robinson, Seene, Simpson, Springborg, Stevens, Stuckey, Wellington. Tellers: Horan, Sorensen

Resolved in the affirmative.

Mr SPEAKER: Under the new standing orders, for any further divisions on this matter the division bells will be rung for one minute.

Division: Question put—That the motion, as amended, be agreed to.

AYES, 50—Attwood, Bligh, Boyle, Choi, Croft, Dick, Farmer, Finn, Fraser, Grace, Hinchliffe, Hoolihan, Jarratt, Johnstone, Jones, Keech, Kilburn, Lawlor, Lucas, Male, Miller, Moorhead, Mulherin, Nelson-Carr, Nolan, O'Brien, O'Neill, Palaszczuk, Pitt, Reeves, Roberts, Robertson, Ryan, Schwarten, Scott, Shine, Smith, Spence, Stone, Struthers, Sullivan, van Litsenburg, Wallace, Watt, Wells, Wendt, Wettenhall, Wilson. Tellers: Darling, Kiernan

NOES, 38—Bates, Bleijie, Crandon, Cripps, Cunningham, Davis, Dempsey, Dickson, Douglas, Dowling, Elmes, Emerson, Flegg, Foley, Gibson, Hobbs, Hopper, Johnson, Knuth, Langbroek, McArdle, McLindon, Malone, Menkens, Messenger, Nicholls, Powell, Pratt, Rickuss, Robinson, Seene, Simpson, Springborg, Stevens, Stuckey, Wellington. Tellers: Horan, Sorensen

Resolved in the affirmative.

Motion, as agreed—

This House:

- notes that widespread public understanding exists that the global financial crisis wiped out future government revenues in Queensland, around the nation and around the world;
- notes that the Premier released the full details of the State's finances immediately prior to the last election—an unprecedented disclosure; and
- calls on the Leader of the Opposition to immediately table in the House a copy of their alternative economic plan.

Sitting suspended from 6.35 pm to 7.30 pm.

SURROGACY BILL

FAMILY (SURROGACY) BILL

Second Reading (Cognate Debate)

Surrogacy Bill resumed from p. 173, on motion of Mr Dick, and the Family (Surrogacy) Bill resumed from p. 173, on motion of Mr Springborg—

That the bills be now read a second time.

Mr MESSENGER (Burnett—LNP) (7.30 pm), continuing: The Surrogacy Bill 2009 is legislation that is not being driven from the grassroots of the community. In the past six years that I have been in parliament I have never had anyone bump into me on the street and say, 'Rob, that surrogacy legislation really has to change.' Plenty of people have said to me, 'Rob, that adoption legislation has to change. There is too much red tape. It has emotionally and financially exhausted us,' and 'Rob, why are we being taxed to the hilt with nothing to show for our taxes?' and 'Why is the Labor government so wasteful and refuses to listen to me?' But no-one has actually come up to me and said, 'That surrogacy legislation really has to change.'

Many of those opposite have tried to paint people on this side of the House as being homophobic. Of course, two men living together in a committed, loving relationship can raise a child and do it successfully. But two dads cannot give a child a mother's love. All two men can do is to provide that

child with double the daddy love, which leads to the important question that those opposite have deliberately avoided in this debate: how important is a mother's love to a child? Margaret Atwood writes the following in her book *Payback*—

If we were Freudians, we might talk about psychic child development: the first food comes from the mother, so do the first lessons in justice and punishment and in the fair sharing-out of goods.

There are already enough systemic and cultural threats to the psychic development of the child: poverty, unemployment, legal behaviour modification drugs, illegal drugs, abusive parents, violent films, computer games, the uncensored internet, the TV news. Should we be enabling and encouraging the development of a society where a child by reason of a lifestyle choice of an adult can be deprived of a mother, where by reason of a lifestyle choice of an adult a child can be deprived of the chance to experience their first food from a mother, where by reason of a lifestyle choice of an adult a child can be denied a mother's love and care? Or in the style of Atwood, if you would like to be a little bit more anthropologically clinical and factual, where by reason of a lifestyle choice of an adult a child can be denied the first lessons in justice and punishment and in the fair sharing out of goods from a woman. If the Freudians are correct about the ideal conditions for the proper psychological development of the child, as described by Atwood, and we have as a result of this legislation more and more children being raised without ever knowing the love of a mother, then maybe we will end up with an Australian society in 2110—100 years from now—that will be more unjust, selfish and less merciful than it should be.

I am not so naive to not acknowledge and realise that many children, through difficult, tragic and different life circumstances, are raised successfully without knowing a mother's love. But this, I believe, is a sad thing. It is less than ideal and should not be legally facilitated, encouraged or celebrated, which is what this legislation does. This legislation before this place, by allowing, merely through a lifestyle choice of an adult, children to be raised without the love of a mother, has implied and ingrained in it a very dark message and subtext. This is an official message from the state that facilitates, encourages and even celebrates a human life without a chance of a mother's care and love.

A father's care and love for a child is obviously different from that of a mother's care and love. In an ideal world, in order to raise a child in a healthy, balanced manner a father's love is equally as important as a mother's love. In an ideal world, the best interests of the child are served if they are raised by a loving, caring woman and man in a committed relationship. This principle is not only common sense and agreed to by the majority of our community, it is also recognised by the state and federal governments and by our legal system.

There are three great legal standards or sayings that your average layperson will likely hear at some time in their lives. Guilt should be proved beyond a reasonable doubt—of course, we hear that phrase when we sit on jury duty. On the balance of probabilities—if you take civil action against any person, you will obviously come in contact with that phrase. What is in the best interests of the child—you will obviously come in contact with that if you have had any dealings with the federal law courts or have been involved in any child custody debates. In every instance where you talk to a judge, a lawyer, or a Family Court reporter, they will say, 'We are going to make a decision based on the best interests of the child.' The concerns that I have from a layperson's point of view about this legislation is that it appears to undermine and contradict federal family law in relation to child custody cases and also the state adoption and fostering laws, regulations and conventions in relation to the adoption and fostering of children insofar that it plainly does not take into account as a principle of the legislation—even though the Attorney-General tries to make out that it does, but actions speak louder than words—the best interests of the child.

In closing, quite clearly, this legislation's first priority is to put the individual's right to procure a child for whatever reason, including a lifestyle choice, before that of the best interests of the child. This legislation displays a dangerous hypocrisy and double standard when compared with other state and federal legislation. I would like the shadow Attorney-General to explain the difference between the other states' legislation as set out in the Parliamentary Library study, which I tabled in this debate at an earlier moment. It certainly seems that Queensland is not just bringing its legislation into line with that of the other states; it is taking it way beyond that line and far down a very dangerous and dark road.

This legislation disregards long-held legal and social principles. There are laws of this state that ban polygamy and same-sex couples marrying for good reasons. I suggest that if this legislation passes, the next piece of social engineering legislation that the Premier will introduce, when it is politically convenient for her to distract the attention of the state away from the horrific debts that we have and the sale of public assets, will be an attack on those two legislative standards.

Mr Dick: It's a matter for the Commonwealth parliament, not the state parliament.

Mr MESSENGER: The Attorney-General wants to be legalistic, but let us talk about it. Those principles are being ignored in this legislation. Unfortunately, the issue of surrogacy is being used as a stalking horse, or a front, for people who want to fiddle with and undermine the fundamental cultural norms and customs that have made our state and nation prosper and become the envy of the world. One of the advantages of living in a free, liberal, western democratic country is that you should be able to do anything that you want as long as you are not hurting anyone and not breaking the law, which is

there to protect people's personal wellbeing and property. The Labor surrogacy legislation, if passed, has the great potential to hurt two very important people in the surrogacy story: the birth mother and the baby. For that reason I oppose it.

Mrs PRATT (Nanango—Ind) (7.40 pm): I rise to speak on these cognate bills, the Family (Surrogacy) Bill 2009 put up by the opposition and the Surrogacy Bill 2000 put up by the government. We who oppose the government's surrogacy bill, which in part allows for homosexual couples to access surrogacy to overcome their social infertility, are fighting for the right of every child to grow up in the best possible situation. The ideal situation for any child is a loving, heterosexual household with biological links to the parents. This is, dare I use the word, the norm. Yes, there are dysfunctional families; yes, there are single parents; and, yes, there are orphaned children. There are many other variations of family in our communities; in fact, in all communities around the world. But there is one universal theme when it comes to family: all societies have their norm, which is a mother and a father. It is the accepted, preferred norm.

Many years ago, before science learnt how to overcome infertility, couples were indeed left to go through life childless. The only option at one time if a person wanted to become a parent was to adopt. It was strictly heterosexual couples only. Then slowly various techniques changed so that childless couples could become parents through what was called test tube babies—in-vitro fertilisation. Overall, society accepted the progress. Today single women also access the new fertility programs. It is natural for a woman to conceive.

In some countries families who had several sons would give a relative who had no sons a son to assist them through life. The same occurred in the case of daughters. Couples with multiple daughters would give one to a family member who had multiple sons. Where there was a childless couple one or more related families with many children would give them one of their children, usually a child of both sexes. It was an early form of surrogacy. However, the family ties were always well recognised and there was a very strict rule that was adhered to: children did not go to homosexual couples.

I have yet to find one culture that historically allowed children to go to homosexual couples. The truth is that the norm around the world is a heterosexual couple—a mother and a father. The members of this House can argue and rail against it, but it is a fact. In an ideal world an ideal family would be the ideal situation, but we do not live in an ideal world.

Government members interjected.

Mrs PRATT: The ideal household is not always possible.

Mr SPEAKER: I will not tolerate any interjection. The member is not taking them. Allow the member to be heard in silence.

Mrs PRATT: It may start off as possibly ideal, however, time can change circumstances. It is our responsibility to ensure that we aim for the ideal. We may not always get it but we must aim for the ideal. To have a lesser goal for a surrogate child than that of any other child born into this world is discrimination. We do not have control over how the average child in a relationship is conceived nor how they are placed in a family situation, be that one parent or two. But where surrogacy is concerned we do. Eighty-six per cent of Queenslanders believe that it is in the best interests of a child to be raised by both sexes, a mother and a father. Regardless of a person's sexuality, surely the very best is what we all want for any child born into this world. It will offend the homosexual community, but I do not believe that anything less than a heterosexual couple is in the best interests of any child born into this world under whatever circumstances.

I hear members state that they are representing their electorates' views; that they have been shown by the people that this is what the people want. I ask: how do they know? Did they ask them? Did they actually poll the people of their own electorate or did they receive lots of letters and emails and a direction from the government or something from a minority group of people? Did they, in fact, poll their electorate so that they did, in fact, represent their own electorate?

Some members' electorates may indeed favour altruistic surrogacy for homosexual couples, but how do they know? It is the people of their electorates who put them in the seats that they sit in. They are the people who members in this place are representing. They are the ones who should decide this particular issue. I ask because there was plenty of time to conduct the poll. Did members take the time? Did members spend the money? Did members have an interest enough to take the time, spend the money and hear people's feelings?

Mr Finn: Did you?

Mrs PRATT: Well, I did. I am glad the member asked that because I love to poll my electorate and I do it often. The question was, 'Do you support the concept of surrogacy?' The result was: yes, 48 per cent. That surprised me. That was a lot lower than I thought it would have been. 'Do you support the concept of surrogacy?' 'No,' said 46 per cent. Six per cent were unsure. That was pretty even Stevens. Not exactly overwhelming support for the idea of surrogacy.

An honourable member: How many people did you send it around to? Did you ask more than your family or just your family?

Mrs PRATT: Over 600, which is an acceptable poll standard. I then asked, 'Do you support surrogacy for homosexual couples?' It was the same question except for the insertion of 'homosexual'. The results were: yes, 10 per cent; no, 83 per cent; undecided, seven per cent. It was a much more polarised view. Where is this overwhelming desire in the community to allow surrogacy to heterosexual couples let alone endorse surrogacy for homosexual couples? The government keeps saying it has it. I would like to see it. I can only hazard a guess that it is a figment of the government's imagination or a desperate desire for social engineering.

Same-sex couples enter a homosexual relationship with no expectation of children being conceived of that particular relationship. The desire of a woman to have a child is a very strong one and lesbian couples have found ways around this and do have children, as do homosexual males. There is a need to protect the rights of these particular children and make laws to ensure that they are protected in the future in the event of the death of the mother. Many of the issues can be addressed by current laws, including amendments to the Succession Act. A partner can be legally made the guardian of the child. I do not believe the rights of children in these relationships cannot be protected under amendments to our current laws. We do not have to pass this bill in its current form to protect these children. Even taking into account the close result of the polls in my electorate, I believe the majority of people would want to pass surrogacy for heterosexual couples but they do not want to support surrogacy for same-sex couples.

In this bill the government is addressing the wants, desires and wishes of adults and not putting the interests of the child first. When the best is perceived as being a mother and a father, to offer a child less than the best is to discriminate against that child.

I, like everyone else in this House, received letters, emails and phone calls arguing for and against surrogacy, for and against the inclusion of homosexual relationships. Most of the communications were cc'd to other members so I know we all basically got the same ones. Members would also have got the one from a child who stated that she was the daughter of a lesbian couple who are very nice people. The child is very, very happy. She may very well be happy and good on the two ladies for making her happy and raising her to be happy. Let us hope that that happiness continues for her. To use a child to fight this battle is not appropriate and I find that very sad.

Surrogacy should be a last resort for childless heterosexual couples. This bill is designed to overcome social infertility. It is not appropriate for this government to do that. It is always raised in this House that it is better to be raised by a homosexual couple than a heterosexual couple where there is domestic violence. That is a no-brainer. It is an argument that does not really need to be brought up. Since when is it decreed that people in heterosexual relationships are the only people to fight? And who decreed that homosexual relationships are free of human frailties? Every relationship has its problems. Every child will experience some form of discomfort in every relationship.

One Labor member stated that the vast majority of domestic violence occurs in heterosexual relationships. Could it possibly be that in this country the vast majority of relationships are indeed heterosexual and not homosexual? In general I support the feel-good concept of surrogacy, but I believe that there should be a very close biological connection. I recognise the pain many couples feel at not being parents and to be able to relieve that pain would indeed be a wonderful thing. Already measures exist by which that pain can be eased and many people use them. This bill puts forward surrogacy as a last resort for any person who wants a baby. I do not believe it is right.

In the US, the legal issues surrounding surrogacy are becoming a legal nightmare. In some cases, between three and five people can lay claim to the child: the egg donor, the sperm donor, the host womb donor and the two recipient parents, who have split. Therefore, five people can claim the child. What a tangled web we weave. The issue is, who is really the parent when things go pear shaped? Is it the egg donor, the sperm donor or the birth mother? As Australians we take great delight in labelling our generations. When this bill passes this generation will be known as the detached generation. They will be detached from their genetic history, they will be detached from their biological family and they will be detached from their own ancestral history. Who is going to apologise to them?

Hon. DM WELLS (Murrumba—ALP) (7.50 pm): From time to time an issue comes before the parliament that requires legislators to remember the fundamental principles of a free democracy. This is such an issue. Every day most members on both sides of the House apply the fundamental principle that the state does not seek to regulate the private lives of its citizens, except to protect society from harm. Twenty-two years ago, on the sad day that the bill banning surrogacy was passed, this parliament breached that fundamental principle, because surrogacy is directed to the very antithesis of social harm. Bringing a child into the world is actually the means by which society continues itself. Altruistic surrogacy is not an activity that society has any business limiting, because nobody is harmed by it; not the biological parents who will achieve their objective of real parenthood, not the surrogate mother who will be performing the ultimate labour of love and most certainly not the baby since his or her alternative was never to exist at all. I note there is broad support across the chamber to legalise surrogacy and it is an honour to join those who have already spoken in support of the legalisation of surrogacy.

However, consider what one would have to believe in order to think that it was appropriate for a government to ban altruistic surrogacy. One would have to believe that it was appropriate for governments to select whose genes should compose the next generation. To ban altruistic surrogacy is to arrogate to government the right to eliminate people from the gene pool. In this case, it is people who, with a little medical assistance and the help of an altruistic woman, could be part of it. To legislatively eliminate people from the gene pool is actually a form of eugenics. In this case we are not talking about racial eugenics as practised by the Nazis, but the legislative ban on surrogacy that we used to have in Queensland was a form of unconscious, mindless eugenics randomly directed against a minuscule minority of the population who differ from the rest of us only in a respect that has nothing to do with the genetic traits of their offspring. It is eugenics nonetheless. In the event that there is a member in this House who is thinking about voting against both of these bills, that is, voting to keep surrogacy illegal, I say: you are on a very slippery slope and the decision to eliminate people from the gene pool is a precedent that you will not want to set if you think about it.

Logically, the next step in the argument is to note that the LNP bill is, in fact, a partial ban on surrogacy. If the parliament votes to adopt the LNP bill, we would be legislatively eliminating people of certain categories from the gene pool. The LNP is not doing that because its members believe in eugenics. It is doing it because its members believe that the best way to bring up children is in a stable environment headed by a man and a woman. That belief is extremely widely accepted and honoured. However, holding that belief does not entitle you to practise eugenics. It does not entitle you to eliminate someone or groups of people from the gene pool. You step into murky waters when you accept that a government, any government, at any time has the right to say to some of its citizens, 'You are allowed to have children' and to others, 'But you are not'. It surprises me that the LNP has lost sight of how dangerous is the precedent that it is setting here. Perhaps its sensors have been blunted by its accumulated years of working in animal husbandry.

When we turn to the opposition's surrogacy bill, we enter a nether world in which surrogacy is available to you, but only if you are what the LNP regards as the right sort of person. Therefore, a husband and wife can access surrogacy and so can a de facto male/female couple, although they have to wait two years. A single person can access surrogacy if the application was made when that person was part of a male/female couple and subsequently became single. I invite honourable members to pause and consider the absurdities that this leads to. The time limit is particularly fascinating. I am reminded of a remark French Prime Minister Clemenceaux made during the negotiations to establish the League of Nations after the First World War. When the American President, Woodrow Wilson, proposed his 14 points, Clemenceaux said, 'Mars le bon Dieu n'avait que dix', which means, 'But the good Lord had only 10.' When I learned that the LNP wanted to decree that de facto couples have a 24-month gestation period, I thought Clemenceaux would have said, 'But the good Lord required only nine.'

It is a near statistical certainty that on any evening in any electorate, just down the road from the home of every member of this House, there is a fertile male/female couple copulating with reckless disregard for whether a pregnancy eventuates. Their child will take nine months to come. It is also likely that just down the road is an infertile couple, deeply committed to establishing a family and yearning for the responsibilities and the love of a family environment. They will have to endure an LNP decreed gestation of 24 months. The reality is that people who are prepared to go through the medical interventions, the processes and the organisational tasks involved in surrogacy are actually people who are very likely to make good parents.

The LNP proposes to prohibit the use of surrogacy by single parents, except if a person becomes single after making an application as part of a couple. This provision is completely and totally unworkable because, according to the Liberal National Party bill, the person, who is mostly to be a she, can then have surrogacy by herself. So to get around the LNP restriction all a single person has to do is to enter a relationship of convenience for two years, apply and then revert to her single lifestyle. She could do this whether she was straight or a lesbian. If she wanted a baby enough, the price of sharing a living space with a bloke for two years would be one that she would be prepared to pay, especially if she found someone who understood.

If the woman concerned was a lesbian, after going through the charade that the LNP legislation would require of her she could then begin or resume a relationship that suited her with a partner who was deeply committed to parenting the child. But absurdly, under the LNP provisions, she could only go through with the surrogacy by representing herself as a single woman and therefore as someone who had actually less capacity to support and care for the child than she in fact had.

I know that the opposition's bill is based on the notion of an ideal family—mum, dad and the kids. And I agree that that is a pretty good basis for a family, except of course if dad is a wife-bashing alcoholic and mum is a drug crazed child beater. But let us be clear: it is an ideal which is one that we all respect that moves the opposition—the ideal of a happy family consisting of mum, dad and the kids. The opposition's bill does nothing to advance such happy ideals. You cannot change the sociology of Queensland by limiting access to biotechnology for marginalised minorities and by overriding the Anti-Discrimination Act.

If anyone thinks the opposition's bill will stop gay and lesbian couples from having families, they are spectacularly wrong. For example, in ordinary circumstances a lesbian can have a child without any medical intervention whatsoever. If they wish to do so, they will continue to do so whether the opposition's bill is passed or not. It will only be the tiny, minuscule minority of lesbians who are unable to have a child who will be constrained and inconvenienced by the opposition's bill. All their bill does is put a lesbian who has a certain medical condition at a disadvantage in comparison with all other lesbians. It is really hard to see any point in that.

But if anybody seriously thinks the opposition's proposal does anything to promote family values, they should think again. They should think again of the children who are going to be born whatever this parliament decides. The overwhelming majority of them will be born to male-female couples but a small minority will be born otherwise. A minuscule minority will have single or homosexual parents, whatever this parliament decides and however many speeches honourable members make. If they care about family values, they will ensure that these children who will inevitably be born have such legislative support and such stability as the government bill affords, and they will keep steadily before their minds the fact that the alternative for such children was not to be born to a male-female couple but not to be born at all.

We should not seek to tell the people we represent whether they should breed or not. We are their servants, not their herders. We should not do it, firstly, because it is a wrong and, secondly, because it just will not work. We cannot govern the wind, we cannot administer the tides and we should not try to control human procreation.

Ms JARRATT (Whitsunday—ALP) (8.02 pm): I rise to support the government's Surrogacy Bill 2009 and in doing so place on record my pride in being part of bringing to the House a piece of legislation that recognises the realities of family life in the 21st century and places the rights of the child above the need for some adults to make moral judgements about the circumstances of their birth and the people who will love them.

The Surrogacy Bill decriminalises altruistic surrogacy, thereby allowing parties to enter into a voluntary arrangement where a woman agrees to conceive and carry a child for another person or persons. Importantly, the bill does not decriminalise surrogacy arrangements that involve payment or reward for the activity beyond meeting such legitimate costs as may be encountered as a result of a pregnancy. These costs are set out in the bill and include medical costs, legal costs, lost earnings and counselling. These costs are not enforceable if the surrogate mother does not relinquish the child or fails to consent to the parentage order.

In further protections against the inappropriate use of legal surrogacy, it will be unlawful to advertise for surrogacy or to collect brokerage fees for surrogacy. Nobody wants to see a black market develop in surrogacy, nor would we want to see it set up as a cottage industry. These measures guard against this outcome and recognise that most surrogacy arrangements do and will occur between persons who are often related or well known to each other.

One of the other central tenets of the government's bill is the transfer of parentage provisions that will allow the intending parent or parents to apply to a Children's Court judge for an order that will transfer the parentage of the child from the birth mother to the intending parents. In effect, this process ensures that the intending parents are the legally recognised parents of the child, thereby establishing the same legal framework between child and parents as would exist for any other child. It also allows for the parents to be formally registered with the Registry of Births, Deaths and Marriages and on the child's birth certificate.

I have been fortunate in life, not least because I was able to fall pregnant with my two children almost on demand. But I do know women who have not been so fortunate. I have seen some of these women negotiate the adoption system and others undergo IVF with varying results. I am sure that the passage of this bill will not alter the attractiveness of these options for most women. We are all well aware that there have also been women who have entered into an altruistic surrogacy arrangement in their heartfelt quest to become a mother. Sadly for these women and their children, this has not been a process that could be openly admitted much less celebrated as to this point in this state it has been an illegal arrangement.

Even more unfortunate has been the uncertainty that these secretive arrangements have had for the status of the child. The government's bill does two fundamental things: it broadens the legal options for those seeking to become parents and it acts in the best interests of the child by ensuring that each child born as a result of a surrogacy arrangement enjoys the same status, protection and support irrespective of the circumstances of the child's birth or status of the person or persons who become the child's legal parents.

I understand that some Queenslanders, including many of those opposite, would be happy to dictate a narrow definition of a family for the purposes of this bill, but the reality is that single-parent and same-sex families already exist in our communities and there is no evidence that I am aware of that the children in these families are less likely to be loved than if they were in a traditional heterosexual family.

While there are a raft of safeguards contained in the bill to protect the best interests and wellbeing of all parties, especially the child born to an altruistic surrogacy arrangement, it does not seek to impose any restriction upon who may enter into the arrangement or who may apply to the court for a transfer of parentage based upon the nature of the relationship of the child's parent or parents. I support this approach and reject the opposition's bill that fails to meet the test of widely accepted antidiscrimination standards and fails to put the interests of the child first. I commend the government's bill to the House.

Hon. PT LUCAS (Lytton—ALP) (Deputy Premier and Minister for Health) (8.07 pm): Those of us who walk into this chamber every morning walk past an honour board with the names of those who served in 53 parliaments before us. There is a space next to each of our names reserved for the entry of the year we leave and space for those who come after us. We also walk past a reading room that contains all of our *Hansard* proceedings since 1859—recording these momentous issues over that 150 years.

In the continuum of history, we are here but for a short time and our custody of this democratic institution and its legislative prerogatives must be seen in that context. What were the big issues of the past often now seem quirky or quaint or, in some instances, offensive relics of an embarrassing past—White Australia or indentured labour, for example. Each of those issues and changes—incremental or seismic—needed advocates and had detractors. Neither side was right on every occasion. We would all do well to remember that.

Parliament broadly reflects societal mores, not too far ahead or behind. But these shift and rarely do they do so en bloc. If they did, there would be little debate. The values that societies outwardly profess are not always ones that they inwardly observe. I reject the false arguments of some that society is worse, or tougher or more evil now than it was in the past. I can remember that argument described and rejected by that great man, former University of Queensland Dean of Medicine, Professor Ralph Doherty. He described it as the notion that 'winters were colder when I was a kid'. Mind you, he said that before climate change.

Homosexuality was not dreamt up by a crowd of trendies in San Francisco in the 1970s. It existed in biblical times. So did child abuse. So did people rearing children for others. One wonders what DNA testing would have turned up in the upstairs-downstairs world of Victorian England. Customary surrogacy has gone on in the Torres Strait since the Torres Strait Islanders first settled there. We were taught at school that St Joseph was a foster-father for Jesus. He is included in the Holy Family. So surrogacy, in one form or another, has been around for a long time.

Those things that are described by conservatives or liberals—that is in the true sense of the word 'liberal'—as moral decay have also been around forever. They do not say prostitution is the world's oldest profession for no reason. In fact, one might observe that, the more things change, the more they stay the same and that what people sometimes claim as community values are often observed more in the breach than in the honour.

The issue of contention here is same-sex surrogacy and single-parent surrogacy; it is not heterosexual couple surrogacy. Do you think for a minute that legalisation of heterosexual surrogacy would have passed through this parliament 50 or even 30 years ago? But it still existed then and, for that matter, so did homosexuality, as did mothers who had children out of wedlock and raised them without a father. Churches, communities, regimes and governments have all professed views over the millennia on issues such as these, and do you know what? They have not gone away. It is just that modern society is far more prepared to confront and deal with them.

The reality is that, if we do not deal with same-sex or single-parent surrogacy, it will still take place as it has in the past, but there will be a consequence if we do not. The greatest consequence is that faced by the child born of the surrogacy arrangement as the one who has no say over it. As an adopted child with no father on my original birth certificate, I would have been deemed illegitimate. In the past, that would have meant legal consequences flowed, restricting ownership of property, inheritances and the like. This is what took place in the days before the Status of Children Act. So we are prepared to condemn children born of same-sex or single-parent relationships to the stigma that others will not have. Why? Because of the sexual preference of their parents or because there is one parent, even if that sole parent is assessed as being appropriate for surrogacy.

I will digress for a moment to deal with those who argue that the government is being inconsistent by not allowing same-sex adoption. In surrogacy, the parties that come together are known and do so on an agreed basis. Where same-sex parties are involved, clearly the natural mother and father know and agree. The state is interested in their suitability for parenthood but does not disqualify them on the basis of homosexuality, nor would the state take a child from a parent merely on the basis of their being a homosexual, whether at the time of birth or later or, frankly, whether they admitted it or not. But it is argued that they cannot be parties of a child in a surrogate relationship.

There has been one development over the years that has altered the paradigm, and that is science. Conception that was impossible in the past for men and women—heterosexual or homosexual—is now made possible in many instances by in-vitro fertilisation. The technology has and will become more and more effective at assisting childless couples to conceive. If the government proposes to allow same-sex surrogacy, then why not allow same-sex adoption?

Firstly, almost all adoptions in Queensland now are overseas adoptions. The practical reality is that many countries place conditions on these adoptions that we must comply with. Secondly, and more importantly, in adoptions the state is entrusted by the birth parent or parents with ensuring the appropriate placement of those children. That must necessarily involve a greater adherence and conservatism to societal morals.

I want to deal immediately with the point of some that, by passing the opposition bill banning same-sex surrogacy, it will somehow preserve us from what they see as a scourge of society where children can be raised by homosexuals. Here is a simple biology lesson: life is not created on the basis of the sexual orientation of the parties that create that life. It is created by the biological act of intercourse. It is also created by IVF, which does not require intercourse at all for procreation. So let us be quite clear: the opposition is not proposing to take children away from homosexuals or from women who conceive children biologically or via IVF. It seeks to criminalise only those who have them via a surrogacy arrangement. Surely the state's appropriate interest is in how people raise children more so than the manner by which they are created.

But in all of this debate I cannot help observing how many members simply ignore the far greater issue that no parliament can effectively prohibit. I would dearly love to pass a law that said, 'No person who was an unsuitable or abusive parent should be able to create or raise a child.' But you know what? They do it in their bedrooms. The catastrophe of child abuse relates to people who are unsuitable parents. I would presume that 99 per cent of those children are created biologically.

In surrogacy, we are talking about prospective parents who are screened to high heaven and have often gone through painful and heartbreaking fertility treatments on the way through. These are surely among the most wanted and loved children of all. The previous federal government gave out cash baby bonuses that encouraged irresponsible people to have kids to get cash to be spent on plasma screen TVs and grog. Yet who picks up the pieces—the state, not the previous federal government. All these parents needed was an inclination to have a child, with no assessment, no screening and no social workers. As they say, it is harder to get a driver's licence than it is for people to have a child—except, that is, if it is an adopted or surrogate child.

I have noted the contributions of a number of members of this House. I will not politicise this debate but I will make this observation: some of the comments of some of the members here are an appalling reflection on them, their intellect and values. They do not stand scrutiny today let alone in the harsher light of history that will illuminate them in decades to come. I suspect it is they who will be quoted as the 'odd bods' and anachronisms rather than the people about whom they are seeking to make these observations.

We must support this legislation. It is right in principle. We should not allow those who want to punish homosexuals to do so at the expense of the legitimacy of children when every day of the week kids are born of unsuitable parents that no government can stop, other than to pick up the pieces later. It does not seek to impose same-sex or single-parent surrogacy on the rest of us. Surrogacy is a consensual arrangement between all parties involved, so by definition it is never imposed regardless of the status of the parents. To put it bluntly, it no less imposes same-sex surrogacy upon the rest of us than does decriminalisation of homosexuality makes it mandatory for everyone to practise it. This is about children who are brought into this world wanted and loved and raised by parents who wish to share that gift of parenthood.

Mr GIBSON (Gympie—LNP) (8.15 pm): I rise to speak in this cognate debate on the Surrogacy Bill 2009 and the LNP's Family (Surrogacy) Bill 2009. At the outset, I wish to put on the record my appreciation to both the Premier and the Leader of the Opposition for this important issue to be decided by a conscience vote. I am happy to indicate at this point that I will be voting in support of the LNP's Family (Surrogacy) Bill. These are issues that are not decided along party lines but, rather, by an individual's ethical, religious and moral values. It is debates like this that enlighten this chamber, as we consider the truly important questions about our understanding of life, the purpose of families and the moral aspects of modern medical science.

These two first questions have both plagued and challenged mankind for generations. Is there an ultimate answer, or is there just a nagging insecurity that we as humans innately have? Many have tried to address our understanding of life and the role of family. Perhaps one attempt to answer these questions that has impressed me the most is a painting by French artist Paul Gauguin. Members who have seen the painting would know that it reflects upon those eternal questions. Indeed, its title is found inscribed in the upper left corner of the canvass which, when translated from French, reads, 'Where do we come from? What are we? And where are we going?'

It is a result of both these bills that we are debating tonight that we are able to turn our mind to these important issues. From my listening to the debate so far it is clear that, for every report that is quoted from and every academic relied upon to prove one particular view, there is another to counter it. Indeed, it appears that the member for Chatsworth has developed Google research to a fine art. But the problem with that is that, if you ask only one question, you will get only one range of information. When he makes statements like, 'There is no research to support this,' his argument becomes biased and simplistic. There is, of course, research that challenges both views on this argument. Clearly, there is conflicting evidence, which makes it difficult to purely base a decision upon the evidence.

This being the case, we must accept that the decision that we will make today in debating this bill must be upon our own internal moral compass if we are to make the right decision. Any ethical debate that we have faced in our society has often looked to its religious roots and cultural backgrounds in search of an answer. Surrogacy is no different. One of the first ancient references to infertility occurs in the Book of Genesis when Jacob's wife, like many of her biblical peers, was unable to bear a child. After praying to God and begging her husband, she sends Jacob unto her maid and then adopts the resulting child as her own.

Some interesting studies have been conducted with regard to religious differences towards ethics and surrogacies, and the findings are quite interesting. In Jewish law a childless couple falls within the category of personal suffering, and there exists a clear obligation to assist them in every permissible way as long as no-one is harmed in the process.

The Catholic Church statement on assisted reproduction is clear and, indeed, we received today from Archbishop Bathersby a letter that reinforces that position with comments from Pope Benedict made just this week. The Eastern Orthodox Church supports medical and surgical treatment of infertility and the Anglican, Baptist, Methodist, Lutheran, Latter Day Saints, Presbyterian and Jehovah's Witness religions all have liberal attitudes towards infertility treatments. Islamic law encourages attempts to cure infertility but only to the extent that IVF technologies involve both husband and wife. Because of their belief in karma, there is no conflict in Hinduism with assisted reproduction, which is generally accepted as a form of treatment and not an infringement on religious beliefs.

However, these views relate to surrogacy for medical reasons. When you overlay surrogacy for social reasons by singles or same-sex couples the views clearly change to one of general opposition. The debate today has been done a disservice by Labor's tricky manipulation of what is an important issue. The rushing of this bill forward from No. 9 on the Notice Paper to No. 2 was clearly a desperate attempt to avoid further scrutiny.

Mr Hoolihan: You've had 2½ months to scrutinise it. How long does it take you to read something?

Mr GIBSON: If we accept the argument from the member for Keppel, there are eight bills that were sitting above this bill that have been sitting there longer. If it is simply a matter of time—

Mrs Keech interjected.

Mr GIBSON: I take the interjection from the government whip; there are no rules. So it is at the discretion of the government when it brings a bill forward. If it chooses to jump it ahead of eight others bills, that indicates that it is feeling pressure and it wishes to manipulate a process to suit its own agenda. Introducing a bill that combines two separate but important issues is insulting to those who look to surrogacy—both couples for whom it is a social choice and those who desire altruistic surrogacy for medical reasons. Each issue is separate and deserves separate consideration by this parliament. Bundling those two together in some dishonest, all-or-nothing proposition does a disservice to the people of this state. Holding infertile couples to ransom to the desire of one other segment of our society is nothing short of a disgrace. It is a sign of a government that is not concerned about the wellbeing of the child but, rather, about the wellbeing of Labor ideology. I respect that these are important issues—

Mr O'Brien: We don't discriminate. That is our ideology: we don't discriminate. Quite right.

Mr GIBSON: I take the interjection from the member for Cook and I will address it later in my speech because it is a very important issue. He wishes to portray something here—that the Labor Party does not discriminate when it comes to same-sex couples. Later in my speech I will address that. We will be seeing a private member's bill from the member for Cook, I am sure, because there is an issue of discrimination that needs to be addressed.

Let me come back to my speech. Holding infertile couples to ransom to the desire of one segment of our society is a disgrace. As I said, I respect that these are important issues to members of the same-sex community, and they deserve the opportunity to have issues that are of importance to them debated in their own right and not masked, as Labor has attempted to do in this bill.

Listening to the speakers in this debate I have heard many points raised. One that disturbs me greatly was mentioned by both the member for Chatsworth and the member for Murrumba. It is that a child who is in a family which is violent and abusive due to alcohol would rather be in a loving arrangement with homosexual parents. As a child who was born into a family in which alcohol was abused and violence was a part of my life, I reject the paternalistic arguments put forward by those opposite that in some way it would have been better for me to have been in a different family

environment. The relationship I have with my father now is a relationship I am proud to have; it is a meeting of equals. Clearly that was not the case when I was a child, but I do not believe—and I reject totally—the paternalistic views that are espoused by those who, in some way, would say my life would have been better if I had had gay parents. My life is mine to live.

Government members: No-one said that.

Mr SPEAKER: The House will come to order. I will allow the member for Gympie.

Mr GIBSON: We have heard from the member for Chatsworth and the member for Murrumba that somehow a child in that environment would be better off with gay parents. I reject that. I am who I am today because of the experiences through which I have lived. Not all of them were good. Not all of them were ones that I would wish upon my children or any other child in this state, but they are experiences through which I have lived. They have moulded me to make me the person I am. When Labor takes this paternalistic attitude that somehow it knows best and it fails to do the simple things, it betrays those whom it is destined to represent.

A moment ago the member for Cook identified an issue relating to discrimination. It is interesting to note that Labor has won every general election since 1989. Apart from two years and a few months it has been in government since then. Yet within the statute books of this state exists section 208 of the Criminal Code, which distinguishes between homosexual sex and heterosexual sex for those under the age of 18. We heard from many across the chamber that the reason they cannot support the LNP bill is that it contains a provision for two years imprisonment. Yet what is the penalty for those young gay males tonight who may engage in homosexual sex? Is it two years in jail? No, it is 14 years in jail. I look forward to the member for Cook removing that discrimination. At the barbecue that was held here with the lesbian and gay community I said that I would support having the age of consent for heterosexual and homosexual sex made the same age. There is no reason we should discriminate between male and female and between gay and straight. I would support that.

Mr Dick: Will you have a conscience vote on it?

Mr GIBSON: I take the interjection from the Attorney-General; a conscience vote would be fine. My view is that the age of consent for both should be 18. That is my personal view. I do not accept that we should have discrimination. Somehow those opposite—

Mr O'Brien: That is a squib and you know it.

Mr GIBSON: Somehow those opposite want to portray themselves as being the great defenders of the same-sex community, yet we find them picking and choosing which issues they want to remove the discrimination from and which ones they do not.

It is interesting to note that, when the barbecue was held here for the lesbian and gay community, the LNP representation at that barbecue was greater than the Labor Party representation. However, those opposite would have us believe that somehow the LNP is homophobic or that somehow we do not want to be with the gay community and yet we outnumbered the Labor Party at that barbecue. What can the lesbian and gay community take from this debate tonight? One very simple point: they will get honesty from the LNP, but from the Labor Party they will get deceit, they will get deception and they will get whatever they want to say to prove their point.

Government members interjected.

Mr GIBSON: Listen to them.

Mr SPEAKER: Order! I do not want to listen to them; I want to listen to you. Therefore, the House will maintain its decorum. I want to hear the member for Gympie.

Mr GIBSON: Clearly what we have seen from many of those—not all, I admit—opposite in their contributions tonight has been nothing short of hypocritical. As with all aspects of life, especially those which cause controversy, surrogacy is something that is difficult to understand from the outside. I will be the first to admit that I struggle to understand surrogacy and the motivations for it because it remains a relatively uncommon pathway to parenthood.

I have never had to experience the misfortune of the challenges of infertility, so I cannot truly comprehend the question faced by a woman wishing to start a family with a loving partner but unable to do so for want of a womb capable of sustaining a growing baby. Should such women set aside their hopes of becoming a mother, should they somehow be reconciled to their misfortune, or should they look to an alternative to achieve the same end but by other means—perhaps by seeking the support of another woman willing to act as a surrogate up to the time of birth? These are reasonable questions that we must address.

I think the aim of becoming a mother would not of itself be considered in any sense bad or wrong. Even though the desire to start a family is recognised as much for the sake of the parents as it is for the child, I think it would be unfair to conclude that the hopeful child is merely an end to satisfying a parent's longing. Rather, it is far more likely that a child born from surrogacy arrangements for medical reasons will be loved and nurtured for its own sake.

However, it is even harder for me to understand the reasons for social surrogacy. I have deep concerns regarding baby engineering. Since couples can choose egg and sperm donors based on, say, the donor's beauty, intelligence or even their sporting prowess, are we prepared to move to a society that puts a price on babies where they will be valued strictly according to how the market values their physical and intellectual characteristics? It concerns me: what happens if the child is diagnosed as having a disability before birth? Those who have commissioned a child for social reasons will have a very different motivation to those whose motivation is for medical reasons and may choose to dispose of the child like faulty goods. It is acknowledged that genetic heritage can help cement a bond between parent and child, but to say that it is crucial to a child's welfare and sense of self cheapens unnecessarily the long-established and laudable practice of adoption and the experience of children of blended families.

There has been much discussion in this debate about the best interests of the child. When we look at surrogacy for medical reasons, a child of such arrangement would be in a situation where they ought not to feel like a commodity because, more so than any other desired or sought-after child should feel, they have a reason to feel secure as a child of any reproductive technology because their parents truly wanted a child no matter what the medical obstacles. But the same arguments do not automatically apply to surrogacy arrangements for social reasons. There are those who say there is no difference in the motivation between social and medical surrogacy, but in doing so they are missing the very point: children are not a right. Children are not there simply to provide for some person's happiness. Children have an innate dignity that we as law-makers are required to maintain and uphold. They are not trophies to be owned.

This bill defies our obligations under the United Nations Convention on the Rights of the Child, because extending surrogacy for social reasons to single parents and same-sex couples breaches the fundamental right of every child to at least begin life with a mother and a father. To deliberately set out to deprive a child of their mother and father is to subject a child to a social experiment, an experiment to which they are unable to consent. I agree that it is not desirable to have a policy that allows for uncontrolled surrogacy. There need to be regulatory controls in place that can minimise and control possible abuses of surrogacy.

I have heard from those opposite in the debate that one of the reasons they cannot support the LNP bill is that it would result in same-sex couples facing jail time. I pose the question: where there are those who are unable to find a loving, caring woman to be a surrogate mother and may choose illegally to engage in a commercial surrogacy arrangement, is it appropriate that they also face a jail term? I would put the argument no, because it is not in the best interests of the child at any point to remove the parents from them. Personally, I would like to see in both bills no element of a custodial sentence. Having it removed and replaced with the imposition of fines is a far better way to deal with this. But somehow those opposite are comfortable with both heterosexual and same-sex couples facing a custodial sentence if they engage in commercial surrogacy but they are willing to turn a blind eye, so to speak, if it is altruistic.

What is in the best interests of the child? Is it in the best interests of the child to lock up the parents regardless of whether they have entered into commercial or altruistic surrogacy? I would say no. I would say that it is not in the best interests of the child at any point to have their parents separated from them. What is clear to me is that this bill is still flawed. It is a bill that has been rushed forward to achieve an ideological outcome and not to address a clear and pressing need that does exist in our community.

It is important for us not to dismiss the moral and ethical objections to surrogacy. It is important for us to recognise that as a society we should move forward, with limited changes, to enable altruistic surrogacy for medical purposes. However, to allow surrogacy for social reasons is fraught with danger.

(Time expired)

Mr POWELL (Glass House—LNP) (8.35 pm): I rise to speak on the government's Surrogacy Bill and the LNP's Family (Surrogacy) Bill. I will acknowledge upfront that I suspect some in this House and some in the electorate of Glass House will find cause for offence within my speech. I wish I could say it was unintentional. I have certainly considered very carefully everything I am about to say. But I suspect offence is unavoidable—unavoidable because the bill presented by the government has polarised Queenslanders in a way I have not seen with any other piece of legislation to date. So whilst I will try to reflect both polarised views, ultimately my decision and my vote will disappoint some.

I will also acknowledge that if elements of this speech are read or referred to in isolation such elements may appear contradictory or inconsistent. Again, I wish I could say it was unintentional, but I again suspect it is unavoidable. It demonstrates the challenge subjects such as that we are debating tonight present to each of us as individual members of parliament but more so the wider community as a whole. These challenges cut to the quick—to our most basic beliefs, morals and ethics. These challenges require careful consideration, full and respectful debate and significant sensitivity. It is my hope that the remainder of this speech does justice to those principles.

These challenges are compounded by the fact that, whilst we are debating two separate physical bills, I suggest we are actually making decisions on three separate but interrelated issues. Each one could be the focus of legislation in its own right. To me, those three issues are: decriminalising altruistic surrogacy for heterosexual couples; decriminalising altruistic surrogacy for singles and same-sex couples; and amending parentage presumption legislation, including extending the parentage presumption to the female de facto partner of a birth mother when the birth mother has undergone a fertilisation procedure to conceive the child with the consent of her female de facto partner.

The government's Surrogacy Bill 2009 combines all three issues into one piece of legislation. As a result, I am compelled to vote against the bill for reasons I will outline shortly. The LNP has separated one of these matters into a distinct bill, allowing me a conscience vote. One of the most succinct summaries of what surrogacy is says that surrogacy involves an arrangement made before the conception of a child in which a woman who intends to carry a child during pregnancy agrees that she will hand over the child after his or her birth to be raised by the person or persons who commission her to carry the child. 'Altruistic' simply means that the woman who intends to carry the child does so without commercial profit, advertising or brokerage fees. If I put aside the question of whether surrogacy should be decriminalised for same-sex couples and singles, on its own altruistic surrogacy for heterosexual couples raises significant moral and ethical questions—questions I need to be convinced are answered fully and favourably before I can agree to it.

Altruistic surrogacy is one of these new scientific techniques that presents an incredible opportunity for infertile couples, but in so doing confronts us morally. As a result, I must weigh up whose rights are paramount: the adult's or the child's. There is no question that altruistic surrogacy is a benefit to couples who are unable to conceive or give birth to a child naturally or with existing reproductive techniques. On the day before the Attorney-General flagged his intent to prepare this legislation, I was contacted by one such couple. I simply cannot begin to appreciate the emotional journey that this couple had been on as they discovered that their only possible path to starting a family was through surrogacy. So strong was their determination that they were contemplating moving interstate to achieve their dream of having children. I know that these bills have given them hope that their dream is achievable and that it is achievable here in Queensland.

On the other hand, we are discovering, as the first cohort of children born as a result of new reproductive and genetic techniques reach adulthood, that we must also consider the rights of such children. Here I am going to rely on more learned research than my own experiences. I will refer to the work of Margaret Somerville from the Centre for Medicine, Ethics and Law at McGill University in Canada. Interestingly, Margaret was born in Australia—in Adelaide—and received both her pharmacy and law degrees in Australia before heading to Canada. I refer to a paper titled *Brave new babies: children's human rights with respect to their biological origins and family structure*. It states—

Issues of children's rights with respect to their genetic identity, their biological families and the nature of their genetic origins arise, in one way or another, in the contexts of adoption, the use of new reproductive technologies, and same-sex marriage. The connection among these contexts is that they all unlink child-parent biological bonds. Each context raises one or more of three important issues: children's right to know the identity of their biological parents; children's right to both a mother and a father, preferably their own biological parents; and children's right to come into being with genetic origins that have not been tampered with.

Margaret Somerville then goes to break down each of those issues. She states—

Children's Rights to Know the Identity of their Biological Parents...

It is one matter for children not to know their genetic identity as a result of unintended circumstances. It is quite another matter to deliberately destroy children's links to their biological parents, and especially for society to be complicit in this destruction. It is now being widely recognized that adopted children have the right to know who their biological parents are whenever possible, and legislation establishing that right has become the norm. The same right is increasingly being accorded to children born through gamete (sperm or ovum) donation. For instance, the United Kingdom has recently passed laws giving children this right at eighteen years of age.

For that reason, this parliament amended the Queensland Adoption Act last year to ensure that adopted children can access information on their biological parents. Whilst I struggle with the retrospective application of this principle, I believe the principle to be sound.

The second issue raised by Margaret Somerville is a child's right to both a mother and a father. She continues—

Giving same-sex couples the right to found a family unlinks parenthood from biology. In doing so, it unavoidably takes away all children's right—not just those brought into same-sex marriages—to both a mother and a father and their right to know and be reared within their own biological family. It does so because marriage can no longer establish as the norm the natural, inherently procreative relationship between a man and a woman, and the rights of children that flow from that norm, in particular, the rights of children to both a mother and a father, who are their own biological parents unless an exception is justified as in the 'best interests' of a particular child, as in adoption.

...

The same issue of children's rights to both a mother and a father is raised by society's involvement in intentionally creating single-parent households, for example, by funding single women's access to artificial insemination.

Interestingly, the author goes on to propose a solution—and I admit that this is in a Canadian context. She states—

The debate on legalizing same-sex marriage in Canada focused almost entirely on adults and their right not to be discriminated against on the basis of their sexual orientation. The conflicting claims, rights, and needs of children were barely mentioned. It's worth noting that legally recognizing civil unions, unlike the recognition of same-sex marriage, does not negate children's right to both a mother and a father, because it does not include the right to found a family. For that reason, it represents the most ethical compromise between respect for the rights of homosexual people not to be discriminated against and the rights of children with respect to their biological families.

Finally, the author addresses the issue of a child's right to be born from natural biological origins. Margaret Somerville states—

A child's right to be conceived with a natural biological heritage is the most fundamental human right and should be recognized in law.

Children have a right to be conceived from untampered-with biological origins, a right to be conceived from a natural sperm from one identified, living, adult man and a natural ovum from one identified, living, adult woman. Society should not be complicit in—that is, should not approve or fund—any procedure for the creation of a child, unless the procedure is consistent with the child's right to a natural biological heritage.

I will make one final reference to Ms Somerville's paper and that is her conclusions. She states—

All these rights of children are of the same basic ethical nature—obligations of non-maleficence, that is, obligations to *first do no harm*. Consequently, as a society, we have obligations to ensure respect for these rights of children. It is one matter, ethically, not to interfere with people's rights of privacy and self-determination, especially in an area as intimate and personal as reproduction. It is quite another matter for society to become complicit in intentionally depriving children of their right to know and have contact with their biological parents and wider family, or their right to be born from natural biological origins.

I have read widely to inform my decisions in this debate. I have received a considerable number of responses from constituents in the Glass House electorate and this paper most succinctly summarised both my concerns and those of the vast majority of my constituents regarding altruistic surrogacy. Science has certainly given us opportunities, but it has also created moral and ethical uncertainty. Personally, there is simply too much uncertainty for me to vote in favour of either the government's bill or the Deputy Leader of the Opposition's private member's bill. I will be voting no.

Before I conclude, can I spend a moment addressing the final issue of legal parentage for children raised in same-sex relationships. Regardless of my personal views on same-sex parenting, I am very conscious, through existing legislation and scientific techniques, that children are being born into same-sex families. In the lead-up to this debate I met with a number of same-sex couples from my electorate and neighbouring electorates regarding their desire for the legal parentage aspect to be resolved. They passionately shared stories of how the current situation places their children at risk—of how, if the biological parent and the child are injured in a motor vehicle accident, the non-biological parent is unable to make legal decisions about the medical treatment of the child. They also shared how issues arise in signing something as simple as a school permission slip.

At the end of the day, these issues again direct us to ask: what is in the best interests of the child? When asked in this context, the answer is quite different. I believe that a legislative response needs to be put in place to overcome this particular problem. I am not entirely certain that this is the right legislative amendment, but it will achieve the desired outcome. In conclusion, I thank members for the respect with which they have listened to my contribution in what is such a sensitive, personal and confronting matter.

Mr FOLEY (Maryborough—Ind) (8.48 pm): I rise to participate in this cognate debate on these bills. At the outset let me say that, as I was one of the original members of the altruistic surrogacy committee that did the investigation, I found it a truly eye-opening experience, especially hearing the stories of those people who were unable to have children and the very difficult journeys that they had gone on in their desire to have children, which is a perfectly normal desire.

I am a father with some experience in matters obstetric. Glenys and I have had the distinct privilege of having had six beautiful children—unfortunately, one is no longer with us—and, in addition, four pregnancies that did not carry to term. So I understand the grief that parents feel and their disappointment when a child does not come from that relationship. My heart breaks for couples particularly who cannot have children due to various reasons surrounding medical infertility.

I remember in our own family—we had four children: two girls, two boys—we were just so happy to have those four children. Our son Joshua was killed in an accident as a little three-year-old boy. We had already taken steps, in Glenys's case by way of a tubal ligation, so that she could no longer have children. We missed having that fourth child so much that she had microsurgery to reverse the tubal ligation. That was successful and we had two beautiful little girls after that. I think that some of the miracles of modern medicine are absolutely outstanding.

I will say some things tonight that members will not agree with. I cannot apologise for that because in a democracy we all need to participate in a debate that respectfully hears a number of different opinions. My belief is that the more we have moved away from traditional family values the more chaotic our society has become. Surrogacy is not a new issue. Anyone who has ever read the Old Testament will see that there are quite a number of instances of surrogacy—that is, where women were not able to have children and other women bore children for them.

The question I ask myself in considering this legislation is: are children better behaved than when the traditional family was the norm and not the exception? Are children more respectful? Tonight on the news we saw again the sickening attack on 82-year-old Iris Temperley from Rockhampton, a grandmother who was bashed and raped and later died. Her funeral was today. The number of fatal bashings that are carried out by young men and cases of sexual violence against women to me are indicators of a society that has become increasingly violent and lacking in the very milk of human kindness.

The more we move away from traditional family values and the traditional family unit I believe the more we find ourselves adrift on a sea of moral relativity, lacking both compass and anchor. At 6.15 pm tonight I checked the numbers on an e-petition that I have sponsored surrounding this bill. In the number of days that that petition has been opened as at 6.15 pm there were 2,300 signatures. I think it is fair to say that people out there in voter land feel very, very strongly about these issues.

I have a number of gay friends. People might be surprised to hear that. I have had long-term friendships with quite a few gay people. I will defend forever their right to choose whatever lifestyle they would choose. I choose not to follow that lifestyle, but again that is a personal choice. I remember spending some time with a friend of mine from Sydney who has lived in a long-term and relatively stable same-sex relationship. We were talking about children one day and he jokingly said—I apologise if this offends people—he loves children but he could not eat a whole one. He referred to houses in suburbs as baby boxes. As a father of children I could have chosen to take great offence to what was meant to be a humorous retort, but instead I could not help but see the real feelings of anguish behind those statements and probably a desire to be able to have children himself. In fact, because he knew that that was not biologically possible he made very much light of that situation.

I would contend that homosexual behaviour by definition is not normal behaviour in that it is not behaviour which is practised by the majority of our society, which is the definition of normal. I also believe from a medical perspective, and we have heard the input of a number of medical people tonight, that it is also not normal behaviour medically in that it uses parts of the human anatomy for purposes that they were never intended to be used for. Having said all of that, I still say that that gives us no reason whatsoever to vilify people who choose that lifestyle, but I do not agree that same-sex couples make the most ideal parents.

Clearly I am not a homophobic, just ask my friends, as the very term itself means a fear of homosexuality. I am not only not afraid of homosexuality but, as I have said, I have many close friends who have been homosexuals for many years. People might be surprised that sleepy little Maryborough has a very large population of gay people. I know lots of those people because it is a small town. Homosexuals are very welcome to attend my church where I am a pastor. I will defend forever, as I said, the democratic right of people to choose whatever lifestyle they want. But, unfortunately, people who do choose that lifestyle are only too aware that one of the consequences of that choice of lifestyle is that they cannot naturally produce children.

Ms Grace interjected.

Mr FOLEY: I take that interjection. I have never seen two guys actually—

Ms Grace interjected.

Mr FOLEY: Not between them personally. I have received a tremendous number of emails on this particular subject. I have been quite surprised at the sheer numerics of it. I do not know whether people may have heard about my friendships with homosexual people but I have had so many people saying that it is their express wish that I vote against this legislation.

Ms Grace interjected.

Mr FOLEY: I had a lovely family photo sent of two ladies with a small child.

Ms Croft: They were here tonight. They do exist.

Mr FOLEY: I became only too aware of that when we were on the committee to look into altruistic surrogacy. I want to read tonight from some of the emails that I have received. I ask people in the House to respect that these are the opinions of people in my electorate and I am reading them verbatim. One gentleman has written to me saying—

As the voice of one that you, the elected representative, are representing in parliament I would like to state that I, along with many of my friends will be appalled if this Bill is passed. I believe that the sanctity of marriage (between a man and woman) will be further eroded by such a Bill as well as the rights of children, as stated under the UN Declaration of the Rights of the Child.

He goes on to say—

My voice is not one that speaks out of theory only; I, as one who was initially brought up in a one parent household (due to divorce) I often felt lost, confused. Never having a father around brought an even a greater sense of loss and confusion as far as my identity was concerned. Without the balance of male and female guidance in my life it caused much trauma and heart ache in later years when it came to relating and interacting with males.

I wholeheartedly agree with councilor David Morrison when he say, 'Same sex couples can never have a child of their own together.

He goes on to say that this proposed bill is against God's pattern for families and, if members do not believe in God, it is against what nature provides as two people of the same sex can never produce offspring if left to themselves. His wife goes on to say that she is not speaking out of theory only on the subject. She states—

I am the mother of a son who is in a 'homosexual marriage' in the USA. This decision has brought great pain, tension and division in our family. Speaking for myself as a mother, who loves her son dearly, I make every effort to maintain a relationship with him and his partner. However, this is very difficult.

She goes on to say that she is not so naive to believe that her story is unique. She knows it is one of thousands and she has sat and heard those stories many times. She says—

I believe that it's time we as a society instead of making laws after laws, that don't work or require more laws to uphold them stop and think. Think and ask ourselves how we and our society would like to be remembered in history books? As people in society that made laws that eroded values and cause greater chaos in the lives of our children or a society that had the courage to go back to basics; like valuing and upholding the sanctity of marriage and the family; like upholding the views of the majority rather than the views of the minority.

A November 2009 Galaxy poll on this issue showed that 86 per cent of people who were surveyed were very uncomfortable with the thought of same-sex couples being able to adopt children. As legislators in this House we have a responsibility to listen to the wishes of the people, regardless of our personal opinions. We do bring our personal opinions into this House. In fact, earlier tonight I listened with some humour to some of the other members stating that moral debate has no place in this House. I could not think of anything further from the truth. We have a huge responsibility to debate issues of a moral nature, otherwise why would parties allow a conscience vote on those issues?

Children are a gift; they are not a right or a belonging. I am concerned that this legislation puts children in a situation where they become a commodity or a chattel. I have received a letter from the Australian Christian Lobby that refers to the 'fundamental right of children in Queensland to at least begin life with the complementary love and care of a mother and father.' The letter states—

It is wrong that the timing of this bill being tabled and voted on was contrived so that the great majority of constituents with genuine concerns about this legislation were unable to discuss them with their elected representatives because they were on holidays.

The letter continues—

It is wrong, that this is being done as a matter of ideology against the majority opinion of Queenslanders, and instead is a response to the political demands of the gay and lesbian rights lobby which cannot even claim to represent the majority of the homosexual community, itself only around 2% of the population.

It is wrong that through this bill, children and their inalienable right to a father and mother will become another casualty in the relentless push by this unrepresentative political movement to "normalise" their relationships—

which clearly are not normal when defined by the ability to procreate naturally. The ACL letter goes on to state—

It is wrong to add to this offence against children, by including the fabrication of "birth" certificates to exclude a child's biological parents by this legislation.

Earlier today a member read from a letter from the Archbishop of Brisbane, Reverend John Bathersby. I will quote a slightly different part of the letter. He states—

As was made clear in our submission to the Parliamentary Inquiry, the Catholic Church does not object to decriminalising altruistic surrogacy as regards the surrogate mother and the commissioning parents. However, as you are aware, this Bill goes further than simply decriminalising surrogacy. There is a real concern that it is shaped largely for adults, without equal concern for surrogate children in the future.

For the record, I point out that I am a Methodist and not a Catholic. The Archbishop continues—

The Catholic Church finds it difficult to support legislation which places a child in a situation where there is no mother and father as would normally be expected. It is difficult to know in advance the impact that such legislation may have on children, or the damage it may do to the institution of the family which is the foundation of our society.

Archbishop Bathersby has said, in much more eloquent terms than I could, that the traditional family unit is the building block and the anchor of our social values, especially in terms of children.

I have received letter after letter on this issue. I acknowledge that I have received letters from both sides of the argument, but the vast number—I would say nine out of 10—would be against the legislation. That bears out the Galaxy poll research that states that 86 per cent of Queenslanders are not comfortable with this. I believe that by proceeding with this bill the government is completely out of step with all but a small minority of Queenslanders. As members of parliament we have a responsibility to reflect the wishes of the people.

I believe that altruistic surrogacy should be a last resort for an infertile couple. In some respects, under a cloak of respectability, this bill smuggles in an oppressive proposal to deprive children of their birthright, which is their fundamental right to enter this world as all of us did with both a mother and a father. I have talked at length about—and as members of parliament every one of us has seen—the struggles that sole parents have in raising children. Raising children is a darned hard job any way one looks at it. During my financial planning and accountancy days, I remember speaking with an 86-year-old lady. As I was doing her initial client interview, because some people still have quite advanced years disabled children living them, I asked, 'Do you have any dependent children?' She quickly snapped back with, 'Are there any other sort?' Those of us who have children know that it is a huge commitment. It is

not like getting a puppy from the pound that you can keep for a year and if you get sick of it you can hand it back. Someone said that the decision to have a child is a decision for the next 18 years. Man, I do not know what sort of kids they have but mine are older than 18 and they still keep coming home and bringing all their mates with them. I might add, we love that.

As I have said, I believe that this bill is out of step. I want to make it absolutely clear that I have no particular problem with altruistic surrogacy for heterosexual couples, but I do not believe that putting a child into that environment is necessarily the best thing for the child. The overwhelming evidence from the social sciences is that children do best when they are raised by both a mother and a father. I have a significant amount of research that I seek to table, with the permission of the Speaker. That research covers some of the evidence based situations with regard to same-sex parenting.

Tabled paper: Submission on the review of the legal status of children being cared for by same-sex parents by Family Voice Australia, dated 3 September 2009 [1714].

Marcelene Cox said—

Parents are often so busy with the physical rearing of children that they miss the glory of parenthood, just as the grandeur of the trees is lost when raking leaves.

Peter De Vries said—

There are times when parenthood seems nothing more than feeding the hand that bites you.

As I have said, having children is a tremendously strong and difficult job. I urge this House to support fully the concept of a mother and a father for children and to reject outright the ability for people other than mums and dads who are biologically unable to have children. Therefore, I conclude my remarks on this bill.

Ms CROFT (Broadwater—ALP) (9.08 pm): I rise to speak in support of the bill and oppose the opposition's bill. The bill before the House today repeals the Surrogate Parenthood Act 1988 and makes related amendments to the Adoption Act 2009, the Births, Deaths and Marriages Registration Act 2003, the Births, Deaths and Marriages Registration Regulation 2003, the Criminal Code, the Domicile Act 1981, the Evidence Act 1977, the Guardianship and Administration Act 2000 and the Powers of Attorney Act 1988. The development of this bill follows the establishment of a bipartisan select committee by the Premier to investigate matters relating to altruistic surrogacy. The report tabled by the committee chair on 8 October 2008 is comprehensive in its research, raising many of the viewpoints, facts and challenges that members and, indeed, the public who are following this debate would be grappling with today. The report is excellent. I take this opportunity to commend all the members of this House who worked on that committee.

To enable the committee members to fully appreciate and understand the experiences associated with altruistic surrogacy, the committee called for submissions and met with individuals to discuss their experiences, knowledge, expertise and views. I acknowledge the courage individuals must have shown in meeting with the committee to discuss such personal matters.

The committee's report on page 23 recommends that the Queensland 'government decriminalise altruistic surrogacy supported with the appropriate legislative and regulatory framework as described in the later recommendations'. The government responded to the committee's report and the release of a number of documents to the public was made for comment. As a result of this consultation with the people of Queensland and the recommendations of the select committee, the Queensland government introduced this bill. This new bill provides for the decriminalisation of altruistic surrogacy. What this means is that people who make a decision to enter into altruistic surrogacy arrangements will be able to do so without the fear that they are doing something illegal and without the fear of facing criminal charges.

The bill prohibits commercial surrogacy arrangements and the advertising for surrogacy. The bill provides for a regulatory framework to give effect to the principles of the legislation. The bill provides a clearer and regulated framework to address issues such as the age eligibility for intending birth mothers and parents, requiring the intending parent or parents to reside in Queensland, the requirement of a medical and social need for intending parents and the requirement for all persons to have undergone counselling.

The bill does not at all discriminate against anyone. This has led to the opposition producing a bill to leave gay and lesbians out of it. It is this aspect of the bill that has challenged people to look beyond what their personal views are and to concentrate on the fact that out there in society there are many people now involved in same-sex relationships who are choosing to create a family. For some of them—not all—just the same as heterosexual couples, altruistic surrogacy may be a reproductive arrangement they choose to consider and enter into in order to have a child and to start a family.

I have heard the arguments presented by opposition members against this provision in the bill. They are essentially the same arguments that they and others presented during the adoption debate. From my observations, it has been made very clear by the member for Condamine and the Deputy Leader of the Opposition that the LNP is opposed to same-sex couples. Firstly, the Leader of the

Opposition referred to the legislation as being 'contaminated' because it does not exclude anyone. And the member for Condamine in his rather bizarre contribution posed the question: how would a boy go to a public toilet without a father in his family? I say to the member for Condamine—

Mr Hopper interjected.

Government members interjected.

Mr SPEAKER: Resume your seat. Stop the clock. I will wait for the House to come to order.

Ms CROFT: I say this to the member for Condamine in the hope that a light bulb might switch on: I thought long and hard about his predicament and I wondered what I would do should I need to take my son to the toilet and Gary not be around. I decided that I would do exactly what a woman in a same-sex relationship would do.

Those opposite are opposed to same-sex couples being parents. They are opposed to single people having children and being parents. They are opposed to heterosexuals who have been in a relationship less than two years becoming parents. The arguments presented by opposition members are really not about the methods by which someone becomes a parent; they are about who should be parents regardless of how they become parents. The arguments presented by those opposite to the government's bill are centred around moral views about people's relationships, no matter how much they try to disguise their moral views by referring to so-called research that concludes that a child is best raised by a mother and a father together.

Whilst I acknowledge that there will be differing personal views on the bill, I hold some respect for other people's opinions on this matter. Indeed, I have met with some constituents of mine who have a different viewpoint to mine. Can I say that there is a manner by which one can argue this point so as not to offend, degrade and hurt other people in the community. I believe that the Deputy Leader of the Opposition exposed himself today by the manner in which he argued his position on this bill. He was distasteful in his words and comments about same-sex couples and their ability to make informed, adult decisions on parenting and indeed other aspects of life, no doubt. The opposition is discriminating against same-sex couples and singles and people who have not been together for two years or more.

Our society has come a long way in regard to discrimination and the vilification of people because of their personal sexual choices and their living arrangements. Generally I believe that the mainstream would say and feel that it is no-one's business. I can see that opposition members are out of touch and unable to govern for Queensland because they are not focused on improving people's lives. A same-sex couple having a child does not harm anyone. Contrary to their argument that it would harm the child, I believe that a child growing up in a same-sex family that was loving, genuine and committed would be far better off than a child living in a destructive, violent, cold and unloving heterosexual relationship. I know many single mums and dads doing a great job as parents. I know many great parents who became parents a year into their relationship and I know many great same-sex couples who are also doing a good job.

I just want to comment on the views expressed by the members opposite opposing this bill. There has been a lot of talk about bringing a child into this world and that they have to have a father and mother to have a perfect start in life. I want to recall a situation of a very good friend of mine who had a baby with her husband. They had been married for quite some time, but about three days after the baby was born the father left. I wonder what kind of harm this caused the child and how the fact that the child had a father made it such a perfect arrangement.

Why are same-sex couples, people who have been together for less than two years and people who are single such good parents? Because they love their children. They provide a safe environment for them and provide their children with opportunities to develop into happy, confident children—just like children of heterosexual couples. I would say that there are some same-sex couples who would have an emotional desire, like heterosexual couples, to have the joy of having children in their home. Some same-sex couples may not ever want that situation, just like heterosexual couples. Who are we in this House to decide for people that they can be parents or not? It is not our role to interfere with how people choose to live their lives. It is certainly not our job to deliberately discriminate against ordinary Queenslanders.

Opposition members have crowed about their moral views and values that will best protect children and stated that it is harmful for a child to be brought into this world with same-sex couples as parents or with single women or single men as parents and of course with couples who have only been together for less than two years as parents. The opposition fails to see that in fact it is this bill that actually gives a child produced through the altruistic surrogacy arrangement legitimacy. The bill provides for the process by which a child will have a legitimate place in the family it is part of. The bill provides for a court to make an order for the transfer of parentage to a child born as a result of surrogacy. This bill is in fact all about providing for the wellbeing and best interests of a child born as a result of surrogacy arrangements. The bill provides that a child born as a result of surrogacy arrangements enjoys the same status, protection and support irrespective of the circumstances of a child's birth or the status of the people who become the child's parents as a result of the transfer of parentage.

The opposition has presented an argument to discriminate against a child born as a result of a surrogacy arrangement based on the status of the parents. Opposition members believe that the passing of this bill will see an influx of gay and lesbian couples and singles rushing out to find a surrogate. They are ignorant of the fact that out there in society, beyond the LNP party room doors, there are people considering altruistic surrogacy now. They are out there having conversations with close family members and friends, travelling interstate to explore the last possible option of becoming a parent. They are single women and they are same-sex couples. At the end of the day, this bill decriminalises altruistic surrogacy for all persons and the bill gives children born from such an arrangement legal rights to his or her parent's legal interests.

Mrs SCOTT (Woodridge—ALP) (9.19 pm): As members of parliament in this state, we bear a solemn responsibility to ensure that we legislate for the legal rights and protection of all citizens, particularly our children, and to ensure that everyone has a clear sense of their personal identity and has every opportunity to grow up in a loving, caring environment. The Surrogacy Bill 2009 is more to do with social justice than with social engineering, but it is far more than that. Having in my circle of friends and acquaintances some couples who have been willing to go to extraordinary measures to fulfil their deepest desire for a child, some having been successful and others who have not, I have seen the anguish as months pass into years with no pregnancy. For some, their thoughts have then turned to adoption, with the frustration of the realisation that they have little prospect within Australia and then to discover the prohibitive costs involved in overseas adoption. For some, their hopes then led them to undergo IVF, and for one particular friend I saw the huge commitment required in such an ongoing procedure.

I remember a time in a bygone era when a young girl would suddenly vanish from her community, and when she returned there were whispers that she had given birth to an illegitimate child, many of whom were adopted, leaving many scarred, guilt-ridden mothers and sometimes children not knowing of their adoption until adulthood, and the searches undertaken to pick up the threads of their childhood and link with their birth parents. This secrecy has been the basis of so much hurt. In whatever circumstances a child is born, we need to ensure openness and honesty so that a child grows up secure in knowing who they are.

Surrogacy will not be a procedure that couples or individuals will enter into without a great deal of thought and planning. For many who have longed for a child but who have been unable to do so this will grant them another opportunity. However, for a woman to offer to carry a child for someone else, knowing they will carry that child and nurture that child within their own body for nine months, and then gift that precious child to another I believe demonstrates a level of love and selflessness that is truly admirable. It is quite often another family member. In one case I knew of a number of years ago that certainly was the case. It should be noted that, if possible, a genetic connection with the child is advisable. I believe that most of those seeking to use surrogacy would, if possible, wish to use their own egg in the case of the mother or the sperm in the case of the father.

We also need to recognise that many who may enter into a surrogacy arrangement are not solitary individuals and couples. There are grandparents, aunts, uncles, sisters and brothers in every extended family who play an important role in raising a child. Indeed, in my own case it was not only family members but also the whole neighbourhood, our church family and work colleagues.

To enter into a surrogacy arrangement there are important guidelines to be followed. An application to transfer parentage of a child must be lodged with the Children's Court, and those involved need to satisfy a judge of the court that they have undergone counselling and understand the implications of the decision they have made as well as seeking independent legal advice. The need for surrogacy as a last resort to become a parent also needs to be established. Further to the counselling requirement is the need to provide to the court a surrogacy guidance report prepared by a counsellor with the required skills and experience in such matters.

Our personal philosophy is formed by many influences which will include our early upbringing, our life experiences, education, the values we live by, for some of us our religious faith, and many of the people we meet along the way with our shared experiences. Many of the members opposite have expressed their views that surrogacy should only be available to married, heterosexual couples and those who have been in de facto relationships longer than two years. At the present time in our state babies are being born to people in different relationships using various methods which are legally available to the medical profession to assist. This bill is primarily dealing with the status of those children and their standing in law.

The quality of parenting is determined by love, commitment and nurturing and by giving children our time and attention, guiding them along the way. There are no perfect parents, but children always know when they are loved. I have close friends who several years ago took a long time to come to terms with the news that their only daughter was in a same-sex relationship. They have a son and a daughter-in-law and enjoy their grandchildren immensely. However, had their daughter been an only child and had she and her partner decided to have a child through surrogacy—for they do not live in Queensland—what then? They have now accepted her partner and their relationship and happily include complete family photos when we exchange Christmas cards.

It is sometimes useful for us to place ourselves in another's shoes. I have done that, and I know that, had this been my experience, I would love and nurture a child in that relationship absolutely no differently than my other grandchildren. While many will have difficulties with this concept, I believe strongly that this bill will not only take this issue out of the criminal arena, but for those who will avail themselves of this possibility to bring a longed-for child into their family it will bring great joy to them and to other extended family and friends, and I wish them all well. Thank you to our Attorney-General and to the authors of this bill.

Ms MALE (Pine Rivers—ALP) (9.26 pm): I rise this evening to speak to the Surrogacy Bill 2009. I was pleased when the Premier announced in 2008 that there was to be a review into altruistic surrogacy in Queensland which was subsequently chaired by the Hon. Linda Lavarch MP. The report's key recommendations were that altruistic surrogacy be decriminalised in Queensland subject to a regulatory framework; that the government's role should include implementing legislative reform including a mechanism to transfer legal parentage; importantly, that births are re-registered after the transfer of legal parentage for a child; and that those children have access to their original birth certificate when they turn 18 years of age.

Currently any type of surrogacy in Queensland is an offence. The legislation today will make altruistic surrogacy legal and has many safeguards built in around this. Importantly, it will still make commercial surrogacy illegal, which should address the concerns that some people had about women being used for commercial purposes. The Surrogacy Bill 2009 has at its core the importance of ensuring the wellbeing and the best interests of a child born as a result of surrogacy. It is about ensuring that each and every child has the same status, protection and support irrespective of the circumstances of the child's birth or the status of the persons who become the child's parents as a result of a transfer of parentage.

It must be remembered that surrogacy is not going to be an everyday occurrence that people choose. It is an option for those people who wish to raise a child in a loving and caring family environment but who are unable to physically have a child. In society today, people who are unable to conceive a child are already entering into a variety of methods to have children. Should we allow this to continue and offer no protection to either the birth parents, the new parents or the child who is the product of this union?

This legislation will ensure that the surrogacy arrangement and the intended parentage is documented, and allows the intended parents to make all decisions regarding care of the child including those regarding the child's education, health, lifestyle, shelter and other living arrangements. This is what happens in families everywhere everyday. I agree that altruistic surrogacy should be decriminalised and that it should be decriminalised for all citizens. Why should children of single mothers or fathers or children of gay or lesbian parents be treated any differently from other children in Queensland?

As a member of parliament every day I see a wide variety of family situations—the so-called norm of one mother, one father and children; single-parent families; lesbian parents with children; families with step-children and half-brothers and half-sisters. I see children being brought up by their grandparents and, in some cases, brought up by nonrelatives. I see functional families and dysfunctional families every day. From what I see, the way children turn out has more to do with the quality of the care given to children, regardless of their parentage. You cannot categorise them by the sex of parents or the sexual preference of parents.

I have had several constituents who have likened the issue of surrogacy to treating children as pets. Nothing could be further from the truth. Unlike children who are born of 'accidents' or because that is what 'usually happens', children born of surrogacy arrangements are well planned for and loved. Those in the Liberal National Party want to turn the clock back to the 1950s when life was pretty ordinary for women and children everywhere, when men could do and say anything they wanted because they were the head of the family.

Everyone remembers the bad old days under the Bjelke-Petersen government when Queenslanders were the butt of all the jokes in Australia because we were seen to be backward. Lately, to my disappointment, I have noticed that the anti-Queensland sentiment has re-entered the rhetoric of many southern based comedians. I think this is grossly unfair considering the depth of social and economic reforms introduced by the Goss government and continued by the Beattie and Bligh governments. However, LNP members have reminded us all that some Queenslanders have not progressed too far at all. If they ever take over the running of the state, people will be quite justified in calling Queensland the home of rednecks once more.

The members for Condamine and Southern Downs, the lead two speakers for the LNP, have dragged out all the old prejudices and misconceptions once more. I thought the member for Southern Downs was more progressive than that. Not only did he attend the community engagement barbecue for the gay and lesbian community; he was one of the last people to leave. The people I spoke to who attended did not hear the member say once that he was happy to talk to them but was never going to give them the chance to be parents. What a hypocrite. It is obvious that you only have to scratch the surface slightly to reveal the true redneck below.

Interestingly, members on the other side have told us about heterosexual couples who could not conceive and thought they had to move interstate to achieve their dream of a family. They were very sympathetic. They obviously do not believe that homosexual couples are capable of the same depth of feelings or the same ability to look after children. Once upon a time, we could rely upon the Liberals to provide a moderate view amongst the conservatives, but under the member for Surfers Paradise those days seem to be long gone. The takeover of the Liberals by the Nationals to me seems to be complete.

The LNP thinks there is something genetically wrong with homosexuals, that somehow they are not complete human beings. I would remind them that all homosexual people had a biological mother and a biological father, but that has not affected their sexual preferences. In fact, one of my friends, who is gay, said that if you had a choice you would not choose to be gay and be subjected to the intolerance, the gibes, the prejudice and the taunts and have your political representatives and other members of the community treat you as second-class citizens. It is not a choice you would make.

The type of backward thinking displayed by all speakers from the LNP in this debate just astounds me. It makes me wonder how the LNP can stand being near homosexuals. It also makes me wonder why a gay person would ever work for the LNP because the views expressed by LNP representatives must make them shudder. The LNP is basically saying, 'Look, you can work for us, but we are not going to give you the same rights because there is something fundamentally wrong with you. You can do all our legwork but because of your sexuality, you are a deficient human being, unable to care for or nurture another person.'

I came into this place as a member of parliament to make a difference in the lives of everyday Queenslanders. I want to protect children, I want to encourage all parents to love and care for their children and I want Queensland families to be protected in law. The government's Surrogacy Bill 2009 creates a legal level playing field for all children in Queensland regardless of how or why they were brought into this world, and I support it wholeheartedly. I reject the opposition's narrow-minded, hit-and-miss Family (Surrogacy) Bill.

Mr RYAN (Morayfield—ALP) (9.33 pm): I rise to make a contribution to the cognate debate regarding the Surrogacy Bill, introduced by the Attorney-General, and the Family (Surrogacy) Bill, introduced by the shadow Attorney-General. As we have heard in the chamber today, there is a variety of opinions and positions regarding the important issue of the criminality and regulation of surrogacy arrangements in Queensland. I take this opportunity to thank the people who have taken the time to contact me about their views on surrogacy arrangements. Those people expressed myriad opinions about the bills before the House.

I note that the members of the Australian Labor Party have been granted a conscience vote with respect to these bills. With that in mind, I have conscientiously and thoroughly considered the terms of both bills, the reports and the evidence of the 2008 parliamentary select committee, experts and other commentators, and the views of the people of the Morayfield state electorate. Accordingly, I have come to the position that I will be supporting the Surrogacy Bill and I will be opposing the bill introduced by the shadow Attorney-General. I will therefore contain the rest of my contribution to this cognate debate to the terms of the Surrogacy Bill.

In my view it is essential to this debate that a consideration of the history of the bill's journey to the House be presented. In 2008 a bipartisan parliamentary select committee commenced an inquiry into the decriminalisation and regulation of altruistic surrogacy in Queensland. The committee held public hearings and accepted submissions from members of the public. In October 2008 a report called *Investigation into the decriminalisation and regulation of altruistic surrogacy in Queensland* was tabled in the House. This report stated that all committee members—government, opposition and Independent members—unanimously supported the decriminalisation of altruistic surrogacy. The report highlighted the committee's proposed policy principle that every child enjoys the same status and legal protection irrespective of the circumstances of their birth or the status of their parents. In tabling the report, the committee chair stated—

I would like to report that the committee has unanimously agreed that altruistic surrogacy should be decriminalised in Queensland. However, the committee has also taken a cautionary approach. Our position should not be interpreted as encouraging surrogacy.

...

The committee is agreed that the government's role is to ensure the protection of vulnerable people from harm without unduly restricting the liberty of consenting adults. The committee's recommendations also reflect its view that the government should ensure parity for families created through altruistic surrogacy by providing a mechanism to transfer legal parentage to the intending parents.

In April 2009 the government provided its response to the committee's report and in August 2009 a paper called the *Queensland government model for the decriminalisation of altruistic surrogacy and the transfer of legal parentage* was released for public comment. Of the 540 responses received, 506 were in total support. In October 2009 an exposure draft of the Surrogacy Bill was released for public consultation. Of the 16 submissions received in respect of the surrogacy aspects of the bill, six were in total support of the bill, eight supported the bill with only minor amendments and two did not support the bill.

I highlight this history to emphasise the thoughtful and thorough process in bringing this bill to the House. The process has been open, inclusive and extensively consultative. In my view legislation passed by this parliament is to be underlined by several principles. The laws passed by this parliament should address injustices, should send a message to the community about the type of society we hope to live in, should not unfairly and unnecessarily interfere with the rights of individuals and should fulfil a broader vision for a Queensland community that is open, tolerant, supportive, compassionate and understanding.

I am convinced that the current legal prohibition on surrogacy arrangements facilitates a grave injustice and does not adequately protect vulnerable people from harm. I am also convinced that the current legal framework which applies criminal sanctions against those who enter into a surrogacy arrangement discourages people from accurately and clearly articulating the legal implications of any participation in a surrogacy arrangement and creates a situation in which the people who care for the child do not have the ability in law to make many of the decisions which benefit the child. This is not in the best interests of the child.

Whilst not constrained in their love of or commitment to raising a child, the current legal framework means that many people—people who would make outstanding parents—are currently constrained by the law from becoming parents. Surely the constraining aspects of the current law are not in the best interests of the child.

On the other hand, I am satisfied not only that the provisions of the bill are in the best interests of the child but also that the bill has significant mechanisms which promote the best interests of the child. In particular, I note that the bill requires the parties to an intended surrogacy arrangement to receive independent legal advice, to receive counselling, to be of a certain age and to have a medical or social need for the surrogacy. My vision for Queensland is that together we can continue to build open, tolerant, supportive, understanding and compassionate communities where we together promote a normalisation agenda to ensure that all Queenslanders—all people—are treated equally, irrespective of their marital status, sexuality, race or religion and where we together support children equally, irrespective of the circumstances of that child's birth or the nature of their family structure.

Contrary to some of the criticism we have heard in the House today, it is my view that this bill is about recognising and supporting the many different types of family structures that exist in Queensland. The bill is about the love of a parent for their child, and it is that commitment to that child that needs to be encouraged, nurtured and promoted, irrespective of the marital status, sexuality, race or religion of that parent. It is that value, that commitment, that love which is in the best interests of the child. We facilitate a grave injustice by continuing a legal framework of criminality and uncertainty or by supporting the discriminatory nature of the bill introduced by the shadow Attorney-General which does not recognise the modern realities and views of the contemporary society in which we live.

This bill contributes to making Queensland a fairer place to live for all Queenslanders, irrespective of their relationship status or sexual orientation. This bill ensures that all children born in Queensland enjoy the same status, support and protection, irrespective of the relationship status or sexual orientation of the child's parents. In my view, this approach is a significant improvement on the current law and puts the interests of the child first. I want to acknowledge the contributions made by all members to this debate, but particularly I acknowledge the work of the Attorney-General and his staff, the departmental staff and the Parliamentary Counsel in bringing the Surrogacy Bill to the House. I commend the Surrogacy Bill to the House.

Ms BATES (Mudgeeraba—LNP) (9.41 pm): I rise tonight to contribute to debate on the cognate bills, the government's Surrogacy Bill 2009 and the opposition's Family (Surrogacy) Bill 2009, introduced by my colleague the shadow Attorney-General, Lawrence Springborg, prior to the introduction of the government's bill. Whilst the bulk of the objectives in the government bill are similar to those proposed in the opposition's bill, there are glaring fundamental differences in the application of this legislation and, indeed, who will be covered in the legislation.

The objectives of the Family (Surrogacy) Bill 2009 are to decriminalise altruistic surrogacy and provide a legal mechanism for the transfer of parentage of a child born as a result of an altruistic surrogacy arrangement from the birth mother to the intended eligible parents and to repeal numerous other acts including the Surrogate Parenthood Act, the Adoption Act, the Births, Deaths and Marriages Registration Act, the Births, Deaths and Marriages Registration Regulation, the Domicile Act, the Evidence Act and the Powers of Attorney Act.

The fundamental differences lie with the government's objectives, which in addition include to decriminalise altruistic surrogacy and provide a legal mechanism for the transfer of parentage of a child born as a result of an altruistic surrogacy arrangement from the birth mother to the intended parent; to amend the Status of Children Act 1978 to extend the parentage presumption to the female de facto partner of a birth mother when the birth mother has undergone a fertilisation procedure to conceive the child with the consent of the other female de facto partner; and to expand the definition of 'fertilisation procedure' to include in the definition the procedure where fertilisation occurs inside the woman's body and to make related amendments to the Births, Deaths and Marriages Registration Act 2003 following amendments to the Status of Children Act 1978 for parentage presumptions.

My office in Mudgeeraba has been inundated with letters and emails from residents in my electorate and from the five Christian churches. I have also held meetings with all of the pastors and ministers and sought the views of my Catholic Church priest. They are all horrified with the government's additions to this bill, and it is their views that I represent today in this House. I firmly believe that children have the right to have a mother and a father. For the past 16 years I have brought up my three children by myself—since they were three, five and seven. Whilst their father does not live with them, they still have a father—a father who has always been and will always be part of their lives.

The government's appointed Investigation into Altruistic Surrogacy Committee determined the following key recommendations: altruistic surrogacy be decriminalised in Queensland subject to a regulatory framework; the government's role should include implementing legislative reform, including a mechanism to transfer legal parentage; altruistic surrogacy arrangements should be unenforceable under state law; a genetic connection between the intended parents and the child should not be a prescribed requirement; and births are re-registered after the transfer of legal parentage for a child and children have access to their original birth certificate when they turn 18. The government's response to these recommendations was to make altruistic surrogacy legal and to develop a mechanism for the transfer of legal parentage from the birth mother to the intended parents.

Following on from this there was a review by the Department of Justice and Attorney-General which proposed amendments to the Status of Children Act 1978 to extend the parenting presumption to a lesbian partner of a birth mother when the birth mother has undergone a fertilisation procedure to conceive the child with the consent of her lesbian partner. The Queensland government also announced that it would release for public comment a Queensland model for surrogacy that would provide the framework for legislation to implement the surrogacy reforms.

The report by the committee into altruistic surrogacy noted that the issue of same-sex parents had much wider implications for parents than surrogacy alone, and that relates to the legal status of children being cared for by same-sex parents. Recommendation 20 of the report states that the opposition bill achieves its objectives by implementing a regime for altruistic surrogacy and does not seek to combine together other issues of single and same-sex parenting, and nor does it seek to deal with matters that were not covered in detail during the extensive parliamentary inquiry on this issue.

When the LNP agreed to the joint parliamentary inquiry into altruistic surrogacy, it was never the policy intent to have all of these other matters included, and that is why this bill has been put forward as a consequence of the findings of that inquiry, utilising the findings of the report and appropriate elements put forward in the draft exposure bill. The bill restricts the use of altruistic surrogacy to married or de facto heterosexual couples—eligible couples where the eligible woman in the couple is unable to conceive for defined medical reasons. The decriminalisation of altruistic surrogacy will allow eligible couples to enter into surrogacy arrangements and to become parents of a child. Surrogacy arrangements should be regarded as private arrangements made between adults. The autonomy of these parties in decision making about starting a family should also be respected.

Children conceived through altruistic surrogacy arrangements are entitled to the same legal protections and certainty, regardless of the circumstances that resulted in their conception and birth. Under the exposure draft, the Bligh Labor government insisted on placing surrogacy and same-sex parentage in the same bill. The position proposed by the government in the draft exposure contradicts the previous position put forward by the government when it excluded same-sex couples from adoption. The exposure draft also does not outlaw the issue of 'designer' babies, even though this has serious ethical issues.

The LNP announced that we believe the changes to altruistic surrogacy laws should be voted upon separately to any proposal to extend these laws to same-sex parenting. The two issues are worthy of two entirely separate debates and votes, as they involve separate value judgements. The state government has clearly indicated that it will not agree that proposed laws designed for hopeful mothers and fathers should not be tied to the passage of proposed laws pertaining to same-sex parenting. As the member for Southern Downs said—

... legislation covering altruistic surrogacy should not be lost in a debate on same-sex parenting.

...

The Bligh Government's ... decision to include altruistic surrogacy and same sex couples and singles having access to altruistic surrogacy challenges many different people in many different ways, philosophically, ideologically, ethically and intellectually.

The LNP's legislation will provide hope and optimism for eligible couples across Queensland who so desperately hold on to the dream of having a family. For many of these people though due to medical or health complications it just isn't possible and haunts their everyday existence as they look around at their siblings, friends, colleagues being able to live the dream of creating a family and a new life.

The Family Council of Australia has already spoken out on the government's bill and states—

The Surrogacy Bill 2009 should have been about altruistic surrogacy as a 'last resort' for an infertile couple. But no, under that respectable cloak this Bill smuggles in an oppressive proposal to deprive children of their birthright—their fundamental right to enter the world, as all of us did, with both a mother and a father.

By what authority does any government permit adults to deny a child his or her primal right and most profound emotional need: to have both a Mum and a Dad in their lives?

A vast number of residents in my electorate concur with the sentiment of the LNP bill and believe that children do best when they are raised by both a mother and a father. The best interests of children are paramount and supersede any perceived 'right' same-sex couples or singles may claim to parent children. This same government banned same-sex couples and singles from adopting, so why is it any different for same-sex couples trying to access surrogacy? If the majority of Australians believe that children should be raised by their biological mother and father—as shown by a Galaxy poll, where 86 per cent believed the opposite to what the government is proposing—why are they doing the exact opposite? I do not believe that the government's bill is in the best interests of the child. I cannot support this legislation.

Debate, on motion of Ms Bates, adjourned.

MOTION

Suspension of Standing and Sessional Orders

Hon. JC SPENCE (Sunnybank—ALP) (Leader of the House) (9.49 pm): I move—

That, notwithstanding anything contained in the standing and sessional orders for this day's sitting, the House can continue to meet past 10 pm to consider government business until the adjournment is moved to be followed by the 30-minute adjournment debate.

Question put—That the motion be agreed to.

Motion agreed to.

SURROGACY BILL

FAMILY (SURROGACY) BILL

Second Reading (Cognate Debate)

Resumed.

Mr McLINDON (Beaudesert—LNP) (9.50 pm): The surrogacy bills before the House have unlimited and unpredictable medical, social, psychological, financial and legal implications for the birth mother, the surrogate child and the intended parent or parents. I cannot endorse the Surrogacy Bill 2009, which ultimately undermines the best interests of a child, which is the gravest of all social injustices.

We must put the best interests of the child and its birth mother before the wants or desires of any third party—and, yes, this includes my wife and I who are unable to bear children. I cannot in good conscience support any bill before this House that will harm the wellbeing and best interests of children, women and families in the Queensland community.

Mr BLEIJIE (Kawana—LNP) (9.51 pm): I would like to premise my contribution to this cognate debate by stating to the House that the family unit is the originating source for how an individual interacts with others. Essentially, this ideal provides the framework and direction for how one will behave in future friendships and relationships. For children, it is proven that metacognitive social development can be intrinsically linked to the role modelling of the direct carer—in most cases the parent or parents. This cognate debate combines the issues of altruistic surrogacy under different legislative amendments, the Surrogacy Bill 2009, introduced by the honourable Attorney-General, and the Family (Surrogacy) Bill 2009, introduced by the Deputy Leader of the Opposition. For ease of reference, particularly given the similar nature of the legislative amendments that have been proposed, I intend to address each bill individually, beginning with the Surrogacy Bill introduced by the Bligh government.

Firstly, can I say that this bill is the start of the socialist reform agenda. They start with same-sex parenting and one begins to wonder where they will go and when they will stop. Children are not a commodity. You cannot just expect to make them and shoot them out left, right and centre for the sake of some selfish right for children. Next they will be arguing that we should have selfish rights to choose the eyes, colour and build of our children.

The bill seeks to decriminalise altruistic surrogacy and accommodates this action with the provision to legally transfer a child born as a result of altruistic surrogacy arrangements from the birth mother to the intended parents. The decriminalisation of altruistic surrogacy is a reform that I am happy to support in this House. As legislators, it is paramount that we reflect the attitude and general consensus of society. It is an unfortunate situation where some heterosexual couples are unable to naturally conceive due to medical circumstances on either partner's behalf. The medical advancement in the area of artificial reproductive technology should be embraced and responsibly adopted in society.

As a father of two girls and a third child on the way, I understand and appreciate the miracle and blessing one experiences when a child is born. I have a great deal of empathy for those heterosexual couples who are unfortunately unable to naturally conceive a child and I am liberally minded to legally allow these people to have an opportunity to make use of the science that can assist in this area. I support the provisions of this bill that decriminalise altruistic surrogacy, but I do not support the extension of this legislative amendment to same-sex couples and single parents.

My brother was married once. He and his wife lost their first child to an unknown complication and tried again. One year after the birth of their second child my brother's wife packed up and shipped out expecting, by some way of a mother's natural affection for her baby, to take the child with her. My brother considered what was in the best interests of the child and has now been the proud single parent of his daughter for some seven years. So I know through my brother's experience how hard it is to be a single dad. My brother never would have chosen that for his daughter, but that is the unfortunate situation that was dealt to him. But his circumstance was different. He did not wake up one morning and decide he wanted to have a baby, expecting he would stay single. He was married and the marriage did not work, but he understood and appreciated before any of this that it was in the best interests of a child to have a mother and a father at home. It took my brother a while to find someone else but he has now found someone else and he has a family as a dad and a stepdad.

As legislators we must consider what is in the best interests of the child. The Family (Surrogacy) Bill 2009, introduced by the honourable Deputy Leader of the Opposition, strikes a balance between protecting the rights of the child and introducing social reform into this House. The key difference between the government and the opposition's legislative amendment bill introduced into this House is the recognition of the right of a child to have both a male and a female role model as parents.

There are several lobby groups which have no doubt contacted all members with respect to these bills. Unfortunately, the government has coupled the decriminalisation of altruistic surrogacy with same-sex parenting issues. These are two very separate and distinct debates and the opposition recognises this fact. Again, this is another major decision not taken to the people of Queensland at the state election. And we wonder why the government did not take this issue to the election. Perhaps it has something to do with the fact that in the latest Galaxy poll 86 per cent of Australians believe that what the government is doing tonight is not in the best interests of children.

The Bligh government's own legislative agenda on parenting issues can be described as inconsistent at best. This is another example of a crisis-management government without a strong and consistent policy platform to govern for all of Queensland. Only last year we saw legislation introduced regarding adoption that excluded same-sex couples and single parents. To save face and restore its left wing credentials, the government has introduced this legislation, which decriminalises altruistic surrogacy, including for same-sex couples and single parents. So to clarify the government's position without all the spin, it is all right for same-sex couples and single parents to explore altruistic surrogacy for parenting options, but these same people are not permitted under state law—only introduced into this House and passed by his House last year—to adopt. For the benefit of the people of Queensland, can the Attorney-General explain to me the difference for the child in each of these cases? In his second reading speech the Attorney-General stated—

This government is committed to the freedom and autonomy of the individual.

Of course, that is when it suits its argument of the day. That was not the case in the Adoption Bill 2009 and more recently in the Criminal Organisation Bill 2009. The government cloaks itself as a party of civil liberties, but only when it suits it. In this case, the government's bill is nothing more than cheap political opportunism to cosy up to the Left.

To me, this issue is quite clear. There is enough anecdotal evidence to justify the concern that children who do not have a male and female role model as parents have an increased risk of developing identity, social and behavioural issues in the future. The subject of same-sex parenting is and should be a separate debate. I personally believe that all unborn children have a fundamental right to have a male role model as a father and a female role model as a mother.

With regard to the family unit as a social construct, I would like to make the following key points. Particular concern has been documented by many researchers regarding children who grow up in single-parent families. Sarah Wise from the Australian Institute of Family Studies released a research paper titled *Family structure, child outcomes and environmental mediators* in January 2003.

This paper looked at several issues facing the family unit and the effect of family diversity, namely parental role modelling and single and same-sex parent families in modern society. The family structure is considered paramount in the long-term development of a child. Family factors that significantly contribute to this development include family cohesion, sibling relationships, parental mental health and parental style and discipline methods.

Another academic article on this issue was written by Mr Bill Muehlenberg and published in the *National Observer* in 2002 titled *The case for the two-parent family*. Mr Muehlenberg states—

A study of Australian primary school children from three family types (married heterosexual couples, cohabitating heterosexual couples and homosexual couples) found that in every area of educational endeavour (language, mathematics, social studies, sport, class work, sociability and popularity, and attitudes to learning), children from married heterosexual couples performed better than the other two groups.

The study concludes with these words—

Married couples seem to offer the best environment for a child's social and educational development.

Moreover, it seems that evidence is mounting to suggest that the presence of fathers strongly impacts on the educational performance and intelligence of children. While some people may argue that any anecdotal evidence to support an argument on this subject is futile, there is a lack of academic studies on the effects of same-sex parenting on children due to the fact that this issue is one that is relatively new. There have, however, been many studies on the effects on a child on the deprivation of a mother or father in the case of a single parent relationship. These studies and their findings should also be considered as relevant for studying the effect on a child that is raised by homosexual parents.

Professor Lyn Wardle wrote in her article published in 1997 that even studies in favour of homosexual parenting acknowledge some data that illustrates that homosexual parenting may be harmful. Studies in the United States have shown an increase of frequency of occurrences of anxiety, sadness, hostility, defensiveness and inhibitions amongst children of homosexual parents, particularly amongst boys. While I personally know and have nothing against homosexual people—in fact have some friends—I am deeply concerned about the rights of a child to have heterosexual parents. This fundamental right is denied with this legislation. The interests of the child should be paramount when laws to this effect are considered.

Like most members of this great place, today I received a letter from the Most Reverend John Bathersby. I quote from that letter a direct quote from Pope Benedict made two days ago on 8 February. The direct quote from the letter from the Pope says—

The best chance children have of developing properly is found in a family because of the uniquely complementary roles played by the husband and wife...they need to dwell, grow and live with both parents, because the maternal and paternal figures complement one another in the education of children and the formation of their personality and identity. It is important then, that everything possible is done to ensure they grow up in a united and stable family.

I note those opposite will be voting by way of conscience. Can I suggest to those members opposite who profess to be followers of the Pope that they read the words of the Pope first and then follow their conscience. For ease of reference for those members opposite I table a copy of the letter from the Reverend John Bathersby. I hope those opposite have a chance to read it prior to voting on this piece of legislation.

Tabled paper: Letter, dated 10 February 2010, from Most Rev. John A Bathersby, Roman Catholic Archbishop of Brisbane to Mr Blejje, Member for Kawana, in relation to the Surrogacy Bill 2009 [1715].

I have been contacted by many constituents with respect to this issue and the respective legislation introduced by the government and the opposition. The general consensus from those who have contacted my office is for a far more conservative approach than what the government has offered this parliament. In fact, the only lobbying I had to support the government's bill was numerous form letters, standard letters, all being machined out of the same place, all having spelt my name the same way incorrectly on each of the 20 letters.

The opposition's legislation is far more balanced. The social engineering the Bligh government is forcing on the Queensland electorate has been met with widespread criticism. The Family (Surrogacy) Bill introduced by the honourable Deputy Leader of the Opposition achieves the objectives of the bipartisan committee's recommendations. The key recommendations included that altruistic surrogacy be decriminalised in Queensland subject to a regulatory framework; the government's role should include implementing legislative reform, including a mechanism to transfer legal parentage; altruistic surrogacy arrangements should be unenforceable under state law; births are reregistered after the transfer of legal parentage for a child; and children have access to the original birth certificates when they turn 18 years of age. There was no mention of same-sex couples or single parents in the report's recommendations. The fact that this omission from the recommendations of the committee's report was disregarded again questions the role and structure of the committee system in this House and the accountability of government in Queensland.

As the Premier indicated in her contribution today, the reality with modern science is that we can as legislators assist couples such as, and I will use the example given by the Premier, Michael and Kirsty. Kirsty was not able to carry children to full term. I cannot imagine what that would be like as my wife has been blessed with uncomplicated pregnancies. Under the opposition's bill Michael and Kirsty would have access to altruistic surrogacy. This legislation would assist Michael and Kirsty to finally have the family that they have been so longing for. I support this because Michael and Kirsty, in the Premier's definition, are a male and a female naturally wanting to have children but because of some medical condition cannot. Why could the Premier not stop there and cover the couples who genuinely want children but for some medical assessment cannot?

The bill goes another step and allows singles and same-sex couples to use surrogacy. With great respect to the Premier's contribution, her arguments are flawed. Unlike Michael and Kirsty, two men and two women are not naturally designed to procreate. The Premier claims that all this is happening in our electorates as we speak. That is what the Premier said this afternoon. I can say to the Premier that I can all but guarantee her that there are not two males in my electorate sitting in a doctor's chair being artificially inseminated as I speak. Men cannot conceive and carry children. It is commonsense. The Premier brings into the fray the two women who can conceive; but men cannot. It was a tricky way to do it. As I said, the argument is quite flawed.

I always enjoy listening to the member for Chatsworth in this place—today was no exception with his absurd contribution. He trivialised this matter by suggesting that a child would much rather live with same-sex parents than in an environment where the father comes home and bashes the wife every night. Those opposite denied it when the member for Gympie mentioned that in his speech tonight, but they were the words from the member for Chatsworth: that if one asked a young child whether they would rather live with a homosexual couple or in a situation where the father is verbally or physically abusive to the mother that they would choose the homosexual relationship. Any child in Queensland or Australia would, of course, want out of that situation. Surely, though, the member is not suggesting that we take away the child from the mother who is the victim of that relationship and place the child in the care of a same-sex couple. I would suggest that what is in the best interests of the child would be to throw the father in jail and let the child and mother live in peace. Or was the honourable member suggesting that those living in same-sex environments do not squabble and somehow offer a better family environment than a heterosexual couple?

The member for Keppel and other honourable members opposite have linked our opposition to single parents with single mothers who have lost their partner through war or for whatever other reason. I submit that these people did not have a choice. We are not suggesting that single parents make bad parents. No-one has said that today in this place. To say in this place otherwise is offensive, particularly for those single parents who have not had a choice with respect to the single relationship, be it the result of death or some other reason.

We need to ensure that as legislators we do what we can to give every child the best start in life, which is with a mother and a father as parental role models. People should not flippantly make babies the guinea pigs of Labor's social experiment. I condemn the Surrogacy Bill that was introduced by the Attorney-General. It does not take into consideration the best interests of the child. However, I do commend the Family (Surrogacy) Bill introduced by the opposition, which will allow heterosexual couples with genuine medical reasons, not social ones, to have children. Having children is not a right; it is a responsibility. We do not have the right to force this upon children. I pray that the conscience of those members opposite is far stronger than any fear factor enlisted by the state Premier.

Ms SIMPSON (Maroochydore—LNP) (10.10 pm): Children can be the greatest joy in people's lives. It is natural for people to want to do whatever they reasonably can to have their own family. When biological reasons preclude this, it can cause great grief. However, the standard by which we seek to legislate legal parenting must be governed by what is in the best interests of the child, not the parent.

Tonight we are debating two bills conjointly: surrogacy and same-sex surrogacy. I thank the member for Southern Downs for his bill, which provides LNP members with a conscience vote on the issue of surrogacy. However, on the issue of same-sex and single surrogacy, provisions that are contained within the government's bill, we depart from the government's view. The LNP has stated our belief in the right of the child, wherever possible, to have a mother and a father. That is why we oppose the same-sex and single surrogacy provisions of the government's bill. While the debate is held conjointly, due to the technicality of the parliamentary rules only one bill can be voted on and that will be the Labor Party's bill.

The real purpose of Premier Anna Bligh's bill is not children's rights but homosexual rights; certainly it is not the rights of heterosexual infertile couples. These are elitist, left-wing views that are hell-bent on social engineering. If the Premier really cared about the vast majority of infertile couples who want to have children—men and women in stable, loving relationships—she would make it easier to access adoption services in this state, but she is not and they are being ignored. More than 600 Queensland couples are among the thousands of Australians desperately wanting to adopt a child from overseas. Most children available for adoption come from overseas. In 2007-08, only 86 adoptions occurred in Queensland. Across Australia there were 440 adoptions. I do not accept that there are not more overseas children suitable to be considered for adoption in our country. Making adoption more affordable and accessible would truly be in the best interests of children who already exist and who are stuck in institutions overseas without the opportunity of having a reasonable upbringing with a loving family.

According to one article, Australia has the lowest rate of intercountry adoption of any developed country. Last year 40,000 children were adopted worldwide but only 270 of them came to Australian couples. I know that many couples would gladly abandon much sooner the emotionally and physically wrenching process of IVF if they knew they had a reasonable chance of becoming parents through adoption.

While understandable in limited circumstances, surrogacy is not the priority or the answer for the majority of couples who desperately want children. There are children who want and, what is more important, need families with a mum and a dad. I have heard the moralising of government members who are lobbying for same-sex surrogacy and single surrogacy. They cry discrimination if people question their cause, but what about the discrimination of the unheard—that is, the children who do not have homes and the couples who want to adopt them but find the hurdles too great and too burdensome? It is time they were heard rather than marginalised.

Hon. A PALASZCZUK (Inala—ALP) (Minister for Disability Services and Multicultural Affairs) (10.14 pm): I rise to speak in support of the government's Surrogacy Bill. The decriminalisation of altruistic surrogacy is an important law reform that should be welcomed by both sides of the House. This reform supports people who are unable, for a variety of reasons, to have children of their own but who nevertheless want to start a family. Personally, I know couples who have been told by doctors that they will never be able to have their own children. It is an unfortunate fact of life that many couples who want children of their own are unable to have them for medical reasons. This can be a shattering experience and it is only natural that some couples will explore other ways to start their own family. The Surrogacy Bill is a way forward for those couples and we should be supporting them rather than presenting them with obstacles, as the opposition is doing. This bill does not impose restrictions on who can enter into a surrogacy arrangement. It means that people in various types of relationships can become parents by entering into surrogacy arrangements.

While everyone is entitled to their own opinion, during the debate on this bill we have heard some, quite frankly, ludicrous and ill-informed criticisms and opinions from the opposition. Some members opposite have expressed rigid and outdated views about what constitutes a family in the modern day. Times have changed and we need to change with them. Today there is much wider community acceptance that families can take on a variety of forms. This reform will bring Queensland into line with other Australian jurisdictions that have regulated altruistic surrogacy. Despite the doom and gloom we have heard from the opposition on this issue, the ACT, Victoria, South Australia and Western Australia all have this option available to people.

The bill provides people with another option to have a family. I firmly believe that people will not make these sorts of decisions lightly but will think long and hard before entering into a surrogacy arrangement. This bill is not going to open the floodgates. These are very tough decisions, and people will think long and hard before entering into such a complex arrangement. This bill protects the rights of children while giving parents legal certainty. For example, it secures the rights of children under succession law. It also gives parents the power they need to make important health and education decisions on behalf of their children.

This bill provides some important safeguards. For example, there is a requirement for parties entering into a surrogacy arrangement to obtain legal advice. The explanatory notes of the bill state—

The Bill requires that the court be satisfied that all parties each obtained independent legal advice prior to entering into the surrogacy arrangement.

The bill also makes counselling mandatory for parties entering into a surrogacy arrangement. The counsellor will have to be accredited by one of a number of professional bodies and have the skills required to provide the appropriate counselling needed. These are important safeguards to ensure that individuals and couples understand the arrangement they are entering into. As I said previously, a surrogacy arrangement is not going to be entered into lightly and people will think long and hard before entering into it.

The government has undertaken extensive public consultation on this bill. The majority of respondents supported the proposed reforms. Unfortunately, the opposition is out of touch with reality and beholden to a social agenda that is not in touch with contemporary views and contemporary values. In conclusion, I quote the Attorney-General's second reading speech. He stated—

Labor governments see family life as fundamental to the wellbeing of society, and we do not seek to impose one narrow set of criteria on our description of what constitutes a family in Queensland. Nor do we have any preconceived ideas about which individuals make the best parents. Queenslanders should be free to determine, between themselves, the surrogacy arrangements they wish to put in place.

I commend the Attorney-General on this bill and for the work that he has put into it. We are providing people with a path to achieve their dream of having a family. We are introducing a law that provides not only security for children but also security for everybody involved in the arrangement. I commend the bill to the House.

Ms JOHNSTONE (Townsville—ALP) (10.18 pm): It is my pleasure to rise to make a contribution tonight to the cognate debate before the House on the issue of decriminalisation of altruistic surrogacy. As I considered this bill, I asked myself the following questions. What is the essence of the proposed changes? In other words, what is it that the government is trying to achieve here? Whose role is it to define 'parent'? Finally and most importantly, what is it that children really need in order to grow and develop and thrive? What values do I hold as non-negotiable when I am making decisions as a parent

about the things that my children need? So, what did I come up with? I have determined by examining the legislation, speaking with constituents and reading widely on the issue, that this legislation is going to receive my support.

We have heard from many speakers opposite about what constitutes the traditional family unit, traditional family values and the breakdown of the family unit. Upon examination, there is insurmountable evidence that, tragically, for some children the traditional family unit is not always the safe and nurturing environment it should be but can occasionally be dangerous and dysfunctional. Just this week the parliament determined that changes were needed to the Criminal Code to allow a partial defence for murder when killing in an abusive domestic relationship. We talked about the statistics—that in 97 per cent of cases violence is perpetrated by men against women with whom they have an intimate personal relationship. The Howard government's family law reforms in 2006 are now being repealed because they actually put a lot of children at risk of being exposed to violence in their homes. In cases where family breakdowns occur, ordering the courts to make a presumption of equal parenting responsibility may be great in theory but in practice it has proved to be a disaster for those children caught in the crossfire.

So why I am making these points? The fact is that I cannot make a decision on what is good for a child based on a set of key criteria that look only at the physical aspects of the family arrangements. I need to take into account the emotional needs of the child. Ideally a child should be wanted, planned for and loved. They need security, unconditional love and people around them who can teach them about the values that are important to that particular family. They need to feel every day that they are the most important person in the world to their parents because, as we all know, it is a very different story once they get out there in the big wide world.

Regardless of the physical make-up of a family, the diversity of parenting styles and approaches is virtually limitless depending on ethnicity and cultural norms, the historical point in time and the personal values and beliefs, including religious beliefs, of individual members of that family. What Queensland children need is a legislative framework that protects and gives them certainty within this diverse context. I would like to share a real story with the House that will best illustrate why I am supporting the government's Surrogacy Bill.

Last March, during the election campaign, I held several street-corner meetings. At one of these meetings I met Sharon Isle. Sharon has given me permission to share her journey to parenthood. Sharon and her partner—a woman—are in a long-term, committed relationship. Like many people in their situation, they reached a point in their relationship where they decided to start a family. They made a planned and deliberate decision to bring a child into the world. They based this decision on the stability of their relationship and their economic ability to provide all the things that a child needs. As Sharon said to me, 'Our family was created by choice.'

Because of the legal complexities that exist because they are in a same-sex relationship, there were other considerations that Sharon and her partner undertook in order to ensure that their son's future holds the same certainty that other children have. They have gone to the Family Court and obtained a parenting order which ensures that Sharon, as the non-biological parent of their son, is legally bound to be economically responsible for him into the future. They have added specific and special clauses to their wills. They have established family trusts and they have sought specialist legal advice which will allow future certainty for their son in a range of areas including inheritance.

Sharon reminded me that this government bill is about responsibility towards that child; it is not about the parents. Sharon and her partner could have relocated to her home state of Western Australia to have their child and take advantage of the fact that Western Australia already has these laws in place. They chose not to because they are established in Townsville and that is their home. So they have taken these other measures that I have just described. I will at this point put on the record my gratitude and thanks to Sharon for allowing me to share her very personal story with the parliament tonight.

Ms Nelson-Carr: A very special person.

Ms JOHNSTONE: She is a very special person. Some are purporting that because a child is born as a result of an altruistic surrogacy arrangement that child somehow becomes what has been termed a 'deliverable commodity'. Why is a child who has been born in a planned pregnancy in a traditional family any less of a commodity than a child who is planned for and born through a surrogate birth mother? Dictionaries describe a commodity as a product, service, goods or an article of trade. All of these descriptions imply that a commodity is something which is traded for commercial value. It is misleading to argue that the proposed amendments, which are specific in that they only decriminalise altruistic surrogacy, can be seen as encouraging babies to be treated as a commodity.

Again, many of the arguments being raised against the proposed legislation are based on data and studies conducted overseas and predominantly in the United States. These examples are of limited value because they are compiled in countries that have very different surrogacy legislation and practices. As an example, much of the data has been collected in jurisdictions which have commercialised the process by allowing financial reward for the birth mother. Such arrangements would not be permissible under the government's proposal and bring into play a range of factors which make

any research using commercial surrogacy simply unsuitable. It is like comparing apples with oranges. Commercial surrogacy involves parties which are usually strangers conducting a commercial transaction with the birth mother who often has personal financial gain as the major motivation. This is not what we are proposing.

There are a number of reasonable and rightly rigorous safeguards in the legislation which individuals and couples entering into a surrogacy arrangement and subsequently applying for a transfer of parentage order have to participate in. These safeguards include seeking independent legal advice and counselling from appropriately qualified counsellors about the implications—social and psychological—of becoming parents to a child born of an altruistic surrogacy. The government bill states that the court may only make the transfer of parentage order if it is satisfied on all nine stated matters. The bill then clearly lists the detailed documentation required to be submitted to the court as part of satisfying these requirements for a parentage order to be granted.

Questions that have been raised about causing harm to birth parents appear to make an assumption that a woman who has made a decision to give birth to a child for altruistic reasons cannot safely make up her own mind about that decision. I disagree with this. My experience has been that women can and do make decisions every single day which affect their wellbeing and, most importantly, the wellbeing of their children. Yes, these decisions can be tough and, yes, they will affect different people in different ways. Are the children born of these decisions unwanted, unloved or unplanned for? No. In fact, given the requirements to fulfil the surrogacy arrangements, the opposite is true.

It is my belief that these children are very special and precious. These children deserve legal security to complement the emotional security they receive from their family. The facts are that surrogacy has been around since ancient times. It is even mentioned in the book of Genesis, which I think another speaker mentioned earlier. Surrogacy is also very common in many traditional cultures. Since the 1980s, advances in technology have increased the use of gestational surrogacy—where the surrogate mother carries the pregnancy after being implanted with an embryo. Technological advances will continue to make surrogacy easier and we need legislation that reflects these new medical realities.

With no access to legal altruistic surrogacy, people will continue to take matters into their own hands. This is happening all around us today. We cannot ignore it. The rights of children born of such informal arrangements have not got the legal certainty they need to move through their lives.

There are many important ingredients to a good childhood but being loved is the most important one. If a person goes to the lengths required to find a surrogate mother and convince her that they would make good parents and if they then convince the court to grant a parentage order, it is very likely that they truly want that child. If in the future a young adult who is born through altruistic surrogacy is asked whether they agree with this legislation, I believe that most of them will be thankful that this legislation has been passed. If, however, the government legislation is defeated, I feel sure that there will be people who would have made good and loving parents who will not be able to experience the joy of nurturing a child and helping them to grow into responsible, well-balanced young adults. There will also be others who decide to go ahead and raise children in an uncertain legal area without clearly defined rights for either themselves or the child.

For me, this bill has always been about the needs and rights of children. It is not the ground on which to debate the religious or moral high ground. This legislation gives a clear message that Queensland is a place that is accepting of diversity, that is accepting of difference and that is willing to make decisions that will provide lifelong certainty for all Queensland children.

Let me make two points in conclusion. Firstly, this bill is doing justice to the rights of children involved in these arrangements. Secondly, it removes something from the Criminal Code which is not appropriate in a modern, progressive Queensland. I commend the government bill to members and urge them to support it, as I am going to do.

Debate, on motion of Ms Johnstone, adjourned.

ADJOURNMENT

Hon. CR DICK (Greenslopes—ALP) (Acting Leader of the House) (10.30 pm): I move—

That the House do now adjourn.

Rolley, Mr G

Mr DOWLING (Redlands—LNP) (10.30 pm): I rise tonight to bring to the attention of the House the plight of a resident in my electorate who has come to me seeking assistance. This resident is an ex-serviceman who did his time in the RAAF. Now settled on one of our beautiful southern bay islands, the resident is unfortunately not enjoying the idyllic lifestyle that one might expect when living in such a beautiful part of the world. This resident is one of many who deal with daily transport issues to and from the island, the go card problems, and a lack of medical, policing and essential infrastructure on any bay island.

Aside from these daily battles, however, this resident is someone who served in our armed forces and who also suffers daily with the social and health implications associated with living with hepatitis C. To make matters worse, this resident is now being forced to face his own mortality earlier than anticipated simply because he cannot get an appointment with a specialist in the public hospital system.

When he was, in his own words, 'young and bulletproof', Mr Gavin Rolley joined the RAAF and did what many servicemen do—he got some tattoos. Little did he realise that years later those tattoos would result in him spending up to six years on a Queensland hospital outpatient waiting list waiting to be given potentially life-saving treatment. Six years! A Queensland Health fact sheet tells us that most people with acute hepatitis C will, without treatment, go on to be at risk of cirrhosis, cancer and liver failure. Is this to be Mr Rolley's future? Mr Rolley fears that it is.

I would ask any member in this House: are they prepared to watch their own health deteriorate before their eyes and in front of their family's while they wait up to six years for a treatment that could cure them? I doubt it. Mr Rolley is a category 3 outpatient on the PA Hospital's hepatology unit waiting list. He has been on the waiting list to see a specialist to obtain treatment since 2006. He has already waited more than three years and now he has been told he will have to wait at least another three before being treated—six years.

As members sit here tonight, I ask them to spare a thought for Mr Rolley who also has a rare heart condition that presents like angina. This means that there are regular doctor's appointments and almost monthly emergency ambulance call-outs to his home. Mr Rolley is one of those good guys. Mr Rolley is more worried for their health and their health risks than his own. His life is hard. Aside from this, he also deals with the social stigma attached to having the virus, which many people confuse with AIDS. He is often treated harshly by those who do not understand this illness. But the hardest thing is the waiting—waiting to see if he develops cirrhosis; waiting to see if he develops cancer; waiting to see if his liver fails; and waiting for an appointment in a Queensland hospital that could effectively save his life.

Gillingham, Reverend Dr J

Ms DARLING (Sandgate—ALP) (10.33 pm): I rise in this place to pay tribute to a great man who passed away suddenly on 23 December 2009. Reverend Dr John Gillingham would probably have spurned the description of him as 'great', but, for the people who had the privilege of knowing John just a little or a lot, he made a big impact on their lives with seemingly little effort.

I was first struck by John's genuine interest in people when he pulled me aside after an official function and asked me how I was going. He quietly told me that as an elected official I gave plenty of time to others so I should make sure I was kind to myself. As I grew to know John a lot better, I realised that this was his call sign—telling people to be kind to themselves. As I learned of the many ways that John had made a contribution to his community and to other people, I also better appreciated why this man understood the pressures of public life. John Gillingham was a public figure himself in the local Sandgate community.

John was born at Lady Bowen Hospital in Spring Hill on 25 May 1931 and grew up on a poultry farm in Brighton. As a 15-year-old he was visiting his uncle in Mount Isa when he heard beautiful singing coming from the Methodist Church and he decided to go inside. This decision changed John's life direction and, following his schooling, he chose to undertake ministerial training. While serving 12 months as a probationary student at Annerley Methodist Church, he met his future wife, Iris.

John Gillingham worked for the Black and White Bus Service at Sandgate, first as a window washer, later as a driver and, in 1981, he and Iris established Cross Country Tours. He wrote a wonderful book on the history of local bus services filled with pictures of his treasured buses. I have a signed copy on my office bookshelf.

I saw John regularly in his role as chaplain of the Royal Australian Air Force Association and the Sandgate Volunteer Marine Rescue, as he led the blessing of the fleet service and participated in the local returned service ceremonies each year. John was involved with Rotary, Scouts and many other community service groups. He worked as an associate minister at Sandgate Uniting Church and Cherside Uniting Church. He was still performing weddings and funerals, and when I saw him last he was helping the Sandgate Uniting Church on its first night of the spectacular Christmas lights and community festival.

I was not surprised to see people parking blocks away from the church to attend his funeral and pay their final respects. Around 800 people attended his funeral, and each one of us was touched by John's kindness. I pass on my sincere condolences to Iris; his daughters, Wendy and Karen; his seven grandchildren; and his two great-grandchildren. Be kind to yourselves.

Australia Day Honours; Currumbin Wildlife Sanctuary

Mrs STUCKEY (Currumbin—LNP) (10.36 pm): It never ceases to amaze me how many wonderful community-minded people live in Currumbin. I would like to congratulate the following outstanding citizens who were recognised in the 2010 Australia Day honours. Kelvin Kerkow received an Order of Australia Medal for his service to lawn bowls as a player, coach and mentor of junior bowlers and those with a disability. Billabong founder, Gordon Merchant, was awarded a Member of the Order of Australia for service to business and support for various community associations. Superintendent Jim Keogh was bestowed the Member of the Order of Australia, acknowledging his distinguished service over many years as a member of the Queensland Police Service. The recipient of the Gold Coast Youth Citizen of the Year Australia Day award for 2010 was Ben Naday from Tallebudgera.

Another Currumbin treasure is the Currumbin Wildlife Sanctuary and the new wildlife hospital. The sanctuary has had to struggle through tough times with downturns in tourism, while the Bligh government refuses to offer any funding at all and yet has allocated funds to Fleay's for years. Now with the brand-new wildlife hospital up and running and treating 5,000 injured wildlife, which is a 30 per cent increase on last year, the Bligh government continues to turn a blind eye. The sanctuary was forced to fund a great deal of the hospital itself—a project that cost \$1.5 million. Not a cent was contributed by the state government even though the federal government provided almost \$350,000.

Crippling operating costs of the hospital are reaching \$600,000 per year and are bleeding much-needed sanctuary funds. CEO Jonathan Fisher said that at this rate it is only a matter of time until they will not be able to take animals from the community. All the minister can say is that she will seek an urgent meeting with the National Trust and the sanctuary to establish 'the true financial situation'. I call on her to tell this parliament whether she has contacted either of these bodies yet for this urgent meeting. It has been nearly two weeks and injured native animals keep appearing at the hospital door.

The Currumbin sanctuary has already put in the hard yards over the last 60 years. Now it is up to this Labor government to lift its game and to contribute to the protection of our native creatures. Failure to do so exposes its environmental credentials as nothing but a sham. It is all very well for the Premier to use this unique location for blatant media opportunities when it suits her, as she did two days out from the last election, yet she is happy to starve it of funds.

Without state government funding, the world-class services that Currumbin sanctuary provides and the benefits to local and international tourism of this iconic Queensland attraction will suffer, and the finger will be pointed directly at this Bligh Labor government. The government must step up to the plate and prove that it cares about protecting our endangered wildlife.

Townsville Marine Precinct

Ms JOHNSTONE (Townsville—ALP) (10.38 pm): I wish to put on the record my thanks to the Premier, the Treasurer, and the ministers for transport and infrastructure for the recent \$118 million announcement of the Townsville marine precinct. This much anticipated announcement has given certainty not only to our commercial marine users but, equally importantly, has allowed for the state government to deliver much overdue recreational fishing facilities to the boaties in Townsville.

All things boating have been high on my agenda since becoming the member for Townsville. As is well known locally, I am very fond of eating fresh mangrove jack, barramundi and mud crab. I am, however, somewhat limited in my expertise or ability to catch the same. However, during the election and since, the Townsville community has made it its business to educate me about the desperate need for infrastructure and upgrades in Townsville for recreational boating facilities. They have reminded me how much we need extra boat ramps and associated boat trailer car parks in our city.

In the main, there are two primary reasons Townsville is seen as an attractive place for people to live. The first is the range of industry we enjoy, which includes public service, defence, construction, a world-class university and, significantly in this case, the many industries and businesses that are attached to or adjacent to the port of Townsville. The second and equally important factor that makes Townsville attractive is our lifestyle. People in Townsville like to work, rest and play within their community. We have in excess of 11,688 registered boats in Townsville.

The \$13 million announcement made by the state government since Christmas for 14 new boat ramps and three additional pontoons doubles the existing number of ramps available to Townsville boaties.

Mr Wallace: Hear, hear!

Ms JOHNSTONE: It is fantastic, isn't it? This outcome is a fantastic example of how to mount a successful grassroots community action campaign. This campaign has been spearheaded by the recreational fishing community, Sunfish, the local 4K1G Fishing Show, the residents, the city council, the *Townsville Bulletin* and me and my parliamentary colleagues Lindy Nelson-Carr and Minister Craig Wallace. We have all locked in together to get this fantastic outcome for Townsville.

Ms Nelson-Carr: Critically important.

Ms JOHNSTONE: It is critically important. The \$105 million marine precinct, which will be built at the mouth of the Ross River, will provide a dedicated facility for the local commercial fishing fleet, marine fabrication and repair industries, marine research facilities, and other marine operators. The relocation of current marine businesses will free up the land in South Townsville between Fifth and Seventh avenues that will be used to create up to 12 new boat ramp lanes, two pontoons and more than 250 car trailer parks. I am looking forward to the construction of these new facilities and I also look forward to the Townsville City Council now stepping up and providing its contribution towards these car parks that are desperately needed to go with these new boat ramps.

Pinkenba Boat Ramp

Mr NICHOLLS (Clayfield—LNP) (10.41 pm): I was heartened to hear the previous member talk about the success she has had with boat ramps and fishing because I rise to talk about the Pinkenba boat ramp in the electorate of Clayfield, which of course has had nothing spent on it for some considerable period and is a complete and utter disgrace. I hear the Minister for Transport is now ready to hand out the lolly so that we can have fishing facilities in Brisbane that equal those in Townsville. Let me read what the community report says about the Pinkenba boat ramp. It states—

There is very little access to the river for recreational use. The boat ramp area has currently been degraded by the demolition of the Bait and Boat Hire Shop and Cafe.

Mr Wallace interjected.

Mr NICHOLLS: They hate fishing. They over there hate fishermen. They hate Brisbane fishermen. It goes on—

The boat ramp has always been extremely poor and has no facilities for the infirm and handicapped to access the Brisbane River and Morton Bay. At the Wagener Cement Mill presentation the Port Authority stated that they were looking at upgrading the parking and the picnic area. The area nominated was extremely limited. It should be possible for BCC to work with the Ports to provide more land for recreational activities.

That is what I am talking about. I have recently become a fisherperson. I have purchased a 14-foot tinny and I take my kids down there. On a Sunday morning it is chock-a-block, but it is also a disgrace. The asphalt is torn up, the ramp is difficult to get access to, there is rubbish strewn about the place and the area around it is a disgrace.

The port of Brisbane has indicated that it will be commencing some works in March in order to upgrade the area. This facility, which is the only facility between Breakfast Creek and the mouth of the Brisbane River on the north side and which is used regularly by many hundreds of fishers, is a second-rate facility and it need not be so. For the sake of a little money and a little planning the facility can become a worthwhile facility for fishermen to enjoy at all times.

I call on the Port of Brisbane Corporation in conjunction with the Brisbane City Council—and I will be making the representations to it and to the minister—to consider the upgrade of the Pinkenba boat ramp at Kirra Street, Pinkenba to provide adequate fishing facilities for people who want to enjoy the beauty of the bay and the river with their families and their friends and to include the construction of a pontoon to make access easier in this quite exposed section of the Brisbane River towards the mouth. It is the only practical, usefully available part of the river where people can launch their boats effectively from the city to the mouth of the river. It is a vital part of Brisbane. It is a vital part of the Clayfield electorate. I implore the ports corporation and the minister to do what they have done in Townsville and make it a worthwhile facility.

Electronic Waste

Ms NELSON-CARR (Mundingburra—ALP) (10.44 pm): I would like to take this opportunity to recognise and congratulate the Hermit Park State School year 7 students in the electorate of the member for Townsville. They recently wrote to the *Townsville Bulletin* regarding computer recycling. Hermit Park State School is well known for its commitment to protecting the planet and when I saw their letter to the editor I was so heartened. Kids are so often held responsible for the ills of society and yet here we have a group of young people who are prepared to be seen and heard when it comes to preserving the environment. Let me quote a few lines about their concerns regarding e-waste dumped in landfill each year. They said—

Our school has written off a number of old computers. Two of our classmates rang a local computer recycling company about recycling these computers. The company told us, 'Just dump them because they have no value or use.'

Then they contacted Education Queensland, which estimated that there are about 10,000 computers in use throughout schools in North Queensland. Their teacher, Mr Aisthorpe, weighed several old CRT—Cathode ray tube—monitors and towers. It goes on—

We found that the average weight for one computer and monitor is 24kg. This means if all the old computers in the North Queensland region are sent to landfill each year, 48 tonnes of computers go to waste in our region alone.

Electronic waste, or e-waste, including computers and televisions, is increasing every year as consumers purchase millions of products and components to replace equipment superseded by faster and more powerful technologies. In North Queensland alone, hundreds of tonnes of computers are

discarded into landfill annually. The latest computers are getting smaller and lighter, yet the older end-of-life computers and monitors are bulky, heavy and contain toxic remnants which poses a significant issue for safe disposal. Computer recycling companies have recently emerged by revamping, reusing and reselling computers, but computers over five years old such as those from school classrooms offer no monetary reward. So they end up in landfill. Surely responsibility for the disposal of this unhealthy avalanche of new e-waste has to be shared. The companies spewing out the latest technology should have a disposal plan that complements environmental safeguards. A national strategy has to be on the agenda and a state commitment to tackling e-waste needs to be a priority.

I say thank you to Hermit Park State School for their continued search for environmental safeguards and protections and to those organisations who are engaged in various projects that are operating throughout the country to tackle e-waste. In fact, the Queensland government's Skilling Queenslanders for Work has a small project in my electorate which is doing just that. I say congratulations to Ignatius Park and Landcare, which recycle mobile phones. Organisations and councils have banned e-waste in landfill or have computer recycling days where computers are collected for free in partnership with computer companies. This is the sort of work we have to do to avoid the toxic waste.

Learner Drivers

Mr HORAN (Toowoomba South—LNP) (10.47 pm): I want to read from a letter sent to me by a family man in Toowoomba concerning some of the problems that occur with young learner drivers. It states—

On the 2nd December 2009 a young man on his learner licence lost control of the vehicle he was driving going around a corner and crashed through our side fence into our backyard hitting our children's cubby house on the way through. This young man was 16 years old driving a ... ute with 3 other males in the car (there were 4 all up in the front of the ute). None of the passengers were on their open licence so the driver was classed as unaccompanied.

It came to my attention yesterday ... that the driver of this vehicle only received a caution and was not fined or charged with any offence and still gets to keep his learners license. As this matter was being handled by the Drayton Police Station, I went there this morning ... to query this outcome and I was told that although the young man holds a learners permit because he was under 17 years of age and this was his first offence the police could do nothing more than issue a caution.

I have enclosed some photos to show you the damage caused and to put into perspective that had our children been playing there at the time they could have been killed. The fact that this driver can only be issued with a caution is absolutely ridiculous. If this is the law, then the law needs to be changed.

If young people are old enough to be issued a learners permit at 16 and ½ years of age then they are old enough to suffer the consequences of their actions especially when driving dangerously as in this case.

The current Labor Government keeps on telling us how they are trying to cut road tolls and running advertising campaigns to make the roads safer, yet because of current laws this young man's stupidity and dangerous actions have gone unpunished. You would have to ask if he has learnt anything at all and is this current government serious at all?

This is a very serious problem, and I intend to write to the minister about it. How can a young person who commits an offence like this with three other young males in the front of the ute—none of them on full licences—crash through a fence and not be punished? I have seen photos of the cubbyhouse, which was absolutely smashed. If any kids had been in there, there is no doubt that they would have been killed or badly injured.

How are they going to learn any consequences if all that happens is that they get a caution and say to their mates, 'We've just been let off with a caution'? He still has his learner licence. Even if the punishment was that he lost his licence for another year or so, he would then learn the consequences of his actions. All too often we see young people killed from driving too quickly. We see young people weaving in and out of the traffic and we see young people cutting in front of semitrailers and B-doubles. All of these things are dangerous, but this was a really dangerous thing that occurred and the consequences of it were absolutely nothing. Young people will never learn anything unless there is a serious consequence.

Woodridge State High School

Mrs SCOTT (Woodridge—ALP) (10.50 pm): Woodridge High proudly hosted our federal education minister, the Hon. Julia Gillard, and the state Minister for Education, the Hon. Geoff Wilson, at its recent music summer school. I was joined by our federal member for Rankin and minister for small business, the Hon. Craig Emerson, as well as our district executive director of education, Sam Knowles, plus a number of other interested parties.

Woodridge High is well recognised as a school of excellence in contemporary music and boasts a state-of-the-art professional recording studio and a drama/music facility just brimming with great music and technical equipment and inspiring teachers such as Dave Stuart, head of the music department. With \$5,000 from the Every Child Counts funding, in excess of 30 students from the Woodridge, Mabel Park and Marsden high schools and Kingston College gathered for a full-on week of song-writing,

recording, performing and honing their considerable musical skills. Our ministers took the time to speak to many of the enthusiastic students, listen to one of their original recordings and then spent time relaxing over morning tea with principal John Norfolk, deputies Jason Milner and Stephanie Wade, and other members of the school community.

It is recognised that both music and sport play an important role in creating well-rounded young people and assist in many ways with their development and their self-esteem and ultimately can assist with their academic performance. When the results of our seniors for 2009 were released we learned that Woodridge High produced two OP1 students: Jadrick Moors and Courtney Flynn. Other results were also pleasing, and my congratulations go to Jadrick and Courtney as well as our other students and their teachers for a great effort. Deputy Jason Milner related the history of successes at the school, which a number of years ago were simply a potential which had remained untapped.

When Jason arrived at the school some eight years ago, he saw a fit-looking rugby league team of mainly Pacific Islander boys who started their matches strongly and then faded away. They did not believe that they had what it takes to win their matches. Jason worked on their self-belief, and soon they started climbing the ladder in each successive year and are now unbeaten premiers in rugby league as well as taking out honours in athletics. Being a multicultural school with many Pacific Islander, Aboriginal and Islander and African students, their sporting accolades keep coming. The teaching staff are now using that same technique of self-belief to increase their academic performance.

With the huge infrastructure building program as well as the additional funding under the national partnership program, the schools in the Woodridge electorate are very exciting places to visit. There is a real sense of being part of a revolution in education which will result in very significant gains across many facets of learning. We are all privileged to be a part of this partnership in learning and creating a bright new future for our students.

Keppel Electorate, Awards

Mr HOOLIHAN (Keppel—ALP) (10.56 pm): On Australia Day this year the region of Rockhampton really came of age in terms of council amalgamation when a major ceremony was held in Mount Morgan. The region is led by Mayor Brad Carter. We want to make that area the most liveable city in the world, and we recognise the people who make our region really great. Cultural awards were presented to Arlene Roberts of Mount Morgan, Mary Steer of Rockhampton and Paddy Delalande from Yeppoon. Sports awards were won by trampolining Olympic hopeful Riley Glazebrook, Carole Gifford for her learn-to-sail training and Sandra Rowcliffe for her coaching in squash. Community service awards went to Neale Dunphy of Gracemere, and Neale also received an emergency services appreciation award for his work with the Rural Fire Service. Another recipient was Des Ryan of Rockhampton. Des is actually a quadriplegic who received his award for working for the rights of the disabled. Another recipient was Jim Goodsell, who has taken part in probably 150 rescues with the volunteer coast guard.

The main purpose of the day is for the Citizen of the Year award. Young Citizen of the Year Luke Walford was granted his award for work with the Salvation Army and as a chaplain at two schools. But it is the achievement of Dorothy Armstrong, named as Citizen of the Year, that I bring to the notice of this House. Dorothy received her award despite pain and discomfort—she had had hip surgery. Dorothy has been known as ‘Mum’ for in excess of 500 children over a period of 50 years. She is a carer and she still has two foster-children in her care, and they will remain in her care until they are 18. She started fostering children when she was 12, and this remarkable lady is well known and well respected right throughout the region. We come into this House and we hear about programs for attracting carers. Because of her love for children and her love for her own community, this lady has provided the care and upbringing for so many children who have gone on to become respected citizens of this state. She was a worthy recipient of the Citizen of the Year award, and I hope that she really enjoys her year in that role.

Question put—That the House do now adjourn.

Motion agreed to.

The House adjourned at 11.00 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, Hincliffe, Hobbs, Hoolihan, Hopper, Horan, Jarratt, Johnson, Johnstone, Jones, Keech, Kiernan, Kilburn, Knuth, Langbroek, Lawlor, Lucas, McArdle, McLindon, Male, Malone, Menkens, Messenger, Mickel, Miller, Moorhead, Mulherin, Nelson-Carr, Nicholls, Nolan, O'Brien, O'Neill, Palaszczuk, Pitt, Powell, Pratt, Reeves, Rickuss, Roberts, Robertson, 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