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Wednesday, 16 November 2011

J MICKEL
SPEAKER

N J LAURIE
CLERK OF THE PARLIAMENT

L J OSMOND
CHIEF HANSARD REPORTER

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WEDNESDAY, 16 NOVEMBER 2011

The Legislative Assembly met at 2.00 pm.

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

SPEAKER'S STATEMENTS

Questions on Notice

Mr SPEAKER: Before I call question time, I remind all honourable members that, as question time will conclude at 3 pm today pursuant to the motion agreed to by the House yesterday, questions on notice asked today must be lodged with the Clerk by 3 pm.

School Tours

Mr SPEAKER: In the public gallery today we have students from the Toowoomba Preparatory School in the electorate of Toowoomba North.

QUESTIONS WITHOUT NOTICE

Fitzpatrick, Mr E

Mr SEENEY (2.01 pm): My first question without notice is to the Premier. I refer to the Premier's response to question on notice No. 1697, regarding her staff member Eamonn Fitzpatrick, in which she failed to answer whether Mr Fitzpatrick had resigned from the Labor lobbying firm Hawker Britton before joining her office. Given that Mr Fitzpatrick has spent many years as a communications director with Hawker Britton travelling the country to run much publicised Labor Party 'dirt units', I ask the Premier—

Government members interjected.

Mr SPEAKER: Order! Those on my right! The House will come to order. I am on my feet.

Mr SEENEY: Given that Mr Fitzpatrick has spent many years as a communications director with Hawker Britton travelling the country to run much publicised Labor Party 'dirt units', I ask the Premier: did Mr Fitzpatrick resign his commission from the government relations and government lobbying firm Hawker Britton before starting one of the most senior roles in the Premier's office? If not, why not?

Ms BLIGH: I thank the honourable member for the question. I can advise the honourable member that he has now made Mr Fitzpatrick's day. Nothing pleases him more than when the member for Callide makes a comment about him in this House. I think you will find him tweeting about it right now. Eamonn Fitzpatrick is employed in my office according to all of the rules of the Ministerial Services Branch. As I advised, he ceased duties with Hawker Britton prior to taking up employment in my office.

Fancy having the member for Callide coming in here and talking about 'dirt files'! These people just do not get enough of it, do they? This is the party that paid somebody to undertake investigations and to compile 'dirt files'—

An opposition member: They were Labor files.

Ms BLIGH:—on members of this parliament. There is a desperate attempt on that side to say that, just because the person who compiled them was once a member of the Labor Party, these are Labor Party files. Who paid for the files to be compiled? The LNP. Who were the senior people in the LNP who held secret meetings with this person to put the files together?

The real question here and the real issue is: why have those senior people in the LNP not ceased their duties with the LNP? When will we see Mr O'Sullivan resign? When will we see Mr McGrath resign? What we are likely to see is Mr McGrath preselected for a federal seat and Mr O'Sullivan preselected for the Senate ticket. Of course, some people on the other side do not think that is such a good idea. Some of them thought the right thing for the party to do would be to censure these people, to remove them from their positions, to express no confidence in them at the party conference. Did any of that happen? No. What we saw was the spineless leader of the LNP, who is being paid by these people, come out and say what a terrific job they had done and what a great treasurer he had been.

These are the people who have no morals and no ethics, who have been caught out in the lowest form of politics and who have failed comprehensively to take any action, who are letting this cancer grow in their party and it is pulling them apart. The reason you saw today's front page is the abject failure of Campbell Newman's leadership and the fracturing of conservative politics as a result.

Fitzpatrick, Mr E

Mr SEENEY: My second question is also to the Premier. I refer again to the answer the Premier gave to question on notice No. 1697 in which she states—

Mr Fitzpatrick ceased duties with Hawker Britton on 2 September 2011.

I table a copy of the answer for the benefit of the House.

Tabled paper: Copy of question on notice No. 1697 and response [5876].

I also table a printout from Hawker Britton's web page which was taken on 19 September—some 17 days later.

Tabled paper: Copy of Hawker Britton website as at 19 September 2011 relating to Eamonn Fitzpatrick [5877].

I quote from that where it says—

Government members interjected.

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

Mr SEENEY: Seventeen days later, Hawker Britton said on their website that Eamonn had taken a leave of absence from Hawker Britton. I ask the Premier: does this not confirm that Mr Fitzpatrick has gone from being a privately funded dirt digger to a publicly funded dirt digger for the Labor government of Queensland?

Ms BLIGH: What you will not find is the Leader of the Opposition making these sorts of claims outside the parliament, because he knows that there is absolutely no substance to them.

Mr Seeney: Publicly funded. You couldn't pay him yourself. The Labor Party couldn't raise the money.

Government members interjected.

Mr SPEAKER: Leader of the Opposition and those on my right, the Premier has the call.

Ms BLIGH: Thank you, Mr Speaker. Again we see the spectacle of the member for Callide talking about political parties digging dirt. This is the party that has made an art form of it. This is the party that has brought politics in this country to an all-time low.

Honourable members interjected.

Mr SPEAKER: Order! The House will come to order. The Leader of the Opposition has asked the question. It is a free-ranging question from what I can see.

Ms BLIGH: Not only did they use the money raised by their members and their supporters for a disgraceful and deceitful muckraking exercise; what they did—

Mr Seeney: You're using the public money. You're using Queenslanders' money—everybody's money.

Mr SPEAKER: Order! The honourable the Leader of the Opposition will cease interjecting.

Ms BLIGH: Thank you, Mr Speaker. This tawdry attempt to say that anybody in the Labor Party is involved in the sort of disgraceful exercise that they were exposed for a number of weeks ago is totally and utterly without substance. They have adduced no proof—not one shred of evidence—that there is anybody on this side of politics who even needs to stoop to those kinds of lows. So not only are they not satisfied with taking Australian and Queensland politics to an unprecedented low; they then compounded their errors by failing comprehensively to take any action against those who were involved in it. Remember the big, brave member for Callide who here in that sitting week went out to the cameras and said, 'Somebody will have to be held responsible for this—people in the party office who did this. There will have to be action'? Here we are four weeks later and what has happened? Nothing. The very people who were behind this got a promotion.

There is no parliament in this country where a leader of the opposition is so comprehensively impotent, cannot control his own party, cannot control the party organisation, cannot even keep members in the party. Every week someone else is up the back row. It will be another one next week.

(Time expired)

LNG Industry

Mr HOOLIHAN: My question without notice is also to the Premier. Could the Premier please update the House on how Queensland's growing LNG industry is securing jobs through the creation of a new export industry for the state and is she aware of any risks to this new industry?

Ms BLIGH: I thank the member for the question. Anyone in Central Queensland knows the benefits that are beginning to flow into the regions of our state from this new industry. Yesterday in Gladstone I was very pleased to join with Senator Chris Evans and the managing director of Bechtel to announce that Bechtel, which is doing all of the recruitment on behalf of the three gas companies, will be employing 400 new adult apprentices. This is the single largest intake of adult apprentices in Australia's history and it is happening here in our state. What it means is simply this: adults who might currently be employed, for example, as trade assistants where they have been working in that capacity for 15 or 20 years, will be able to have all of that recognised and, on a competency tested basis, fast-track a full qualification in that particular trade in as little as 18 months in some cases.

This is not about cutting corners or shortcuts, it is a competency based scheme that will give people opportunities to have their skills recognised and upgraded and gain the qualifications then to equip them into high-skilled jobs of the future. Of course, it will then open up the trade assistant jobs they leave behind to other young people who can then come in and start to get that sort of work experience. This is a great outcome and it is more evidence that this industry is not a pipedream; this industry is now a reality in our state. Why is it a reality? Because when you want to get a new industry operating you need to back it and Labor has been prepared to back it. We need to regulate it, we need to enforce those regulations, but you also need a clear sense of purpose and Labor has had that from the beginning. We went to the 2009 election promising to facilitate, sponsor and grow a gas industry in Queensland and that is what we are doing because we believe in jobs and prosperity.

Of course, we know the Liberal National Party has no idea where it stands on this industry. The member for Callide backs it—or at least he used to; the member for Condamine slams it and wants it stopped; the member for Dalrymple jumped ship because he does not like their position, or their multiple positions; and Campbell Newman, of course, will tell you one thing in the bush and another thing in the boardrooms of Brisbane. No wonder we see the Katter party. What we see is a complete failure of Campbell Newman's leadership. This is someone who is overseeing the fracturing of conservative politics and the tearing apart of everything that the member for Southern Downs tried to achieve when he put the LNP together. It was supposed to be something that united the conservative sides of politics. Now, of course, we see a whole new party starting up. Why? Because Campbell Newman is a divisive and risky character. He does not stand for anything and what we are seeing is bitter divisions over an issue like the gas industry. This industry needs backers. Under Labor we believe in jobs and that is what you will see.

Mr SPEAKER: I want to acknowledge the members and business owners from Tourism Noosa and also the Hong Kong Rugby Sevens team who are visiting us. They played in Noosa and they will be playing on the Gold Coast this weekend.

Public Hospitals, Waiting Lists

Mr McARDLE: My question is to the Minister for Health. I table a letter dated 28 September 2011 from the Royal Brisbane and Women's Hospital. Will the minister explain why under his watch for a second time a hospital has sent a letter back to a patient refusing them access to the outpatient waiting list six months after the referral was made?

Tabled paper: Copy of letter, dated 28 September 2011, from Dr David Alcorn, Executive Director, Royal Brisbane and Women's Hospital, relating to outpatient appointment [5878].

Mr WILSON: I thank the honourable member for the question. Provision of the best health and medical care to Queenslanders is the top priority of Queensland Health. I have made that clear to Queensland Health. I have also made it clear that with outpatient services category 1s need to be seen as category 1s are categorised as the most urgent, and no urgent cases ought to be turned away. That is the instruction that has been given to Queensland Health. It was given some time ago and I expect it to be delivered on. There are other categories of less urgent cases where arrangements can be made hospital to hospital that enable someone of a lesser urgency on the outpatient waiting list to access their treatment and their consultation earlier at another facility than at the one they may have been originally sent to.

I make it clear that in relation to category 1 and urgent and emergency cases that are referred to outpatient clinics, Queensland Health and every facility is obliged to ensure that they treat that person and provide the consultation at the centre in which they have been sent and, as I say, if there is a case

of lesser urgency then I expect—and Queensland Health have been told very clearly—that if there are available services at another nearby centre, that that hospital will liaise with the other hospital to ensure that the patient is, in fact, getting quicker access to care at that other centre.

Why do we say this? On all fronts of the delivery of health and medical services in Queensland, Queensland Health is working very hard to make sure that we speed up access to elective surgery, that we speed up access to emergency department treatment, that we speed up access to outpatient services and that we speed up all access to services. Three million Queenslanders every year get access to outpatient services. We are improving accessibility. With elective surgery, for example, we have the shortest waiting list of the long waits in Queensland's history and the shortest in Australia for categories 1 and 2, and for category 3 we have virtually eliminated the backlog. What was it when the LNP was in power? There were 8,500 Queenslanders waiting. How many are waiting now? Approximately 500. That is the big impact. What are we doing in emergency departments? We are doing exactly the same. Urgent and category 1 patients get seen within a minute. Across the five categories the average in Queensland emergency departments is 23 minutes.

(Time expired)

Urban Land Development Authority

Mr MOORHEAD: My question without notice is to the Premier. Can the Premier report on the recent success of the Urban Land Development Authority at the Planning Institute of Australia Queensland awards last Friday night and whether she is aware of any commentators who do not support the views of the industry organisation?

Ms BLIGH: I thank the honourable member for the question. The Urban Land Development Authority was set up as part of our affordable housing initiative when I was the Deputy Premier. I know how important affordable housing is to the member for Waterford and other members of my team. I am very pleased to advise the House that, last Friday at the Planning Institute of Australia Queensland awards, the ULDA absolutely cleaned up. Urban Land Development Authority projects won three major awards and two other ULDA projects came runner up. The ULDA was the overall winner on the night, taking out the exceptional planning achievement award for its work in Blackwater and Moranbah. What did the Planning Institute of Australia have to say about the ULDA? It stated—

They have developed new standards of public engagement, community consultation and professional collaboration.

The success of the ULDA at those awards comes hot on the heels of its performance at the Urban Development Institute of Australia's state awards for excellence, where its Fitzgibbon Chase development won the environmentally sustainable development award. The ULDA is emerging as a great Queensland success story. Other states are looking at the legislation for potential application in their states. It is the great success story of this Labor government. It was put in place to cut through some of the development and planning approval problems that were bedevilling some of the very big projects at local government level, and it has done just that. The UDLA has cut red tape and cut through the development quagmire at the council level and now it is leading the way nationally.

Do we know that this great Queensland success story would be maintained if the LNP won government? We know that Campbell Newman believes it should be abolished. Why would he abolish it? We have a Queensland organisation that is winning national awards and setting new standards in good planning, sustainable design and development in some of the best master planned communities in Australia, but because Campbell Newman wants to pander to a few of his mates in the South-East Queensland group of mayors it will be dumped. He will not be putting Queensland first; he will be putting Campbell first. I think everybody knows that.

Campbell Newman needs to go out and talk to those in regional Queensland, because there he will find a group of mayors who are putting their hands up, time and time again, asking for the Urban Land Development Authority to come and work with their councils, to come and make their communities better communities. That is why we are working in Gladstone; the mayor wants them there. That is why we are working in places such as Moranbah; the mayor wants them there. It is why we are working in Townsville and Mackay. The UDLA is making a huge difference to regional Queensland.

Queensland Health, Security of Information

Ms BATES: My question without notice is to the Minister for Health. I table photos that show stationery cabinets being chained and padlocked whilst confidential employee files, including tax file numbers and bank details, remain unsecured. Why is this Labor government's priority more about penny pinching on stationery rather than protecting the confidential information of health staff at a major public hospital?

Tabled paper: Bundle of photographs dated 21 October 2011 of files, locked cupboards and filing cabinet [5879].

Mr WILSON: I do not accept the basis of the—

An opposition member: Look at the photo.

Opposition members interjected.

Mr SPEAKER: Resume your seat. The minister has been asked a question. He has barely said two sentences. It is most disorderly.

Mr WILSON: Mr Speaker, thank you for the courtesy of allowing me to respond to the question. I do not accept for one minute the basis upon which this allegation has been made—not one minute—because this member and other members have a habit of coming in here with half-truths and false claims. That is the short of it.

Ms BATES: I rise to a point of order. I find the minister's comments offensive. I ask that he withdraw those comments that were made about me personally.

Mr WILSON: I withdraw. When responding to questions like the one just asked of me, I am reinforced in my view when I consult more closely the document tabled by the shadow spokesperson for health, the member for Caloundra—

Mr Seeney: Answer the question.

Mr WILSON: I will get to it, be patient. Settle down and be patient. When the shadow spokesperson for health tabled a document and I responded regarding the transfer and on-referral of our patient clients—

Mr SEENEY: I rise to a point of order.

Mr WILSON:—treatment of non-urgent patients—

Mr SPEAKER: Order! Resume your seat. There is a point of order.

Mr SEENEY: The member for Mudgeeraba asked a question about a separate document. The minister is answering a question about another document. How on earth could that possibly satisfy the rules of relevance in this parliament?

Mr SPEAKER: The honourable Leader of the House.

Ms SPENCE: Mr Speaker, it is very common practice in this House, and has been for a long period, for a minister to use one question to clarify an aspect of a previous question.

Mr SPEAKER: I will resolve it this way: I would prefer you to answer the question that has been asked. Then, if you want to make it relevant to the documents that have been presented to round out your answer to the first question, that is fine. Let us deal with the question that has been asked.

Mr WILSON: Mr Speaker, I thank you for your ruling. If we consult the photographs, it is impossible to arrive at any conclusion that would be of any assistance to this parliament. Maybe the member asking the question can consult with the shadow spokesperson for justice and Attorney-General, who purports to be the future Attorney-General of this state, to get a better opinion about the lack of evidentiary value of a photograph such as those that have been tabled. Therefore, Mr Speaker, you can well understand why I would not accept for one moment any allegation from the other side about any claimed inappropriate behaviour by Queensland Health administrators or staff. There is a claim about inappropriate behaviour relating to the security of documents and such like. I do not accept that for one moment.

If this member had a fair dinkum complaint, why have they been sitting on these photographs, which they consider so damning? Why have they been sitting on them instead of approaching Queensland Health or even the director-general? If they were so concerned about the security of either patient or staff files, why have they sat on these photographs, which they claim show a breach of security? Why have they not approached the director-general to ensure that security has been properly attended to? It is because there is no basis for the claim that they make.

Aurukun, Infrastructure

Mr O'BRIEN: My question without notice is to the Deputy Premier, Treasurer and Minister for State Development and Trade. Can the Deputy Premier advise the House of support the Bligh government is providing to the provision of infrastructure in Aurukun and is he aware of any other plans to strengthen the state's economy?

Mr FRASER: I thank the member for Cook for his question and also for travelling with me to the community of Aurukun in the past month. He and I spent the night in Aurukun and met with the local community. I have to say, of the communities I have visited in my time in this parliament, the visit to

Aurukun on that occasion left me with the most optimism from any community that I have visited in a long time. In Aurukun, school attendance is up 37 per cent since the implementation of the initiatives that the government started. Mayor Neville Pootchemunka has provided strong leadership in the community and he has worked closely with the member for Cook. When you speak to him you get a sense of the optimism in the place.

That optimism also goes to the potential for the Aurukun bauxite lease to be reentered into the marketplace in the future, which we are working on closely with the council. Also, there is great opportunity and potential for the south of the Emberley development. A critical part of that is landing in Aurukun. Of course, in the past the current earth barge landing has presented challenges, given the nature of the weather up there. Therefore, the government has entered into an agreement with the Aurukun Shire Council to upgrade the barge landing with concrete at a project cost of $1.3 million. That is a necessary precondition and necessary infrastructure that potentially will enable the Aurukun community to dial into the south of Emberley project and the bauxite lease that will potentially go to the market next year. That sort of working together is delivering results in the community.

Of course, we know that when it comes to other plans for economic development, whether it is in Aurukun or in other places, there is a policy-free zone on the other side of the chamber. We have seen that again over the past 24 hours when the LNP leader, Mr Newman, refused to state a position on uranium. All we have heard is weasel words, as he slips and slides. I say to him, it is not kryptonite; it is only uranium. He does not have to melt at the thought of it. He can front up and put forward a view.

Opposition members interjected.

Mr FRASER: Before they all get too excited, there is a spirit of bipartisanship to my answer. It is not often that I agree with Campbell Newman. It is not very often that I find anything he says worth while, true or worth repeating. However, this morning when I walked past the radio, something caught my ear. Mr Newman was asked to explain a policy position and he said, very directly, 'We have no plans and that is as clear as I can be.'

I have to say that I could not have said it better myself. 'We have no plans and that is as clear as I can be,' said Mr Newman. I liked the idea so much that I went on to the ABC website—and I table a copy of the interview for the benefit of all members of the House.

Tabled paper: Copy of article from ABC News website, dated 16 November 2011, titled 'No plan to change LNP uranium policy: Newman' [5880].

I liked the idea of hearing it on radio and I thought, 'That is something that we should hear on radio a bit more.' Anyone who missed it should stay near a radio; I think it is a worthwhile thing. The point is that what he revealed is what the member for Dalrymple knows, it is what the members for Hinchinbrook and Burdekin know—22 per cent of the Katter party is not coming off the Labor pile; it is coming off the policy-free zone pile, and they know it.

Government Advertising

Ms SIMPSON: My question is to the Deputy Premier and Treasurer. When Queenslanders are struggling under Labor's high cost of living with increasing car registration and household water and electricity bills, why did this government's advertising bill blow out to more than $9 million per month in July this year?

Mr FRASER: I thank the shadow minister for her question. It is important to say that the government's advertising program at the moment includes things such as the warning on floodwaters, which was a direct result of the commission of inquiry, and a range of other programs which are standard government practice. I am not sure that the member for Maroochydore is identifying which of those worthwhile programs she says should be removed including things like fire and electrical safety, which have recently been put forward. If she would like to stand up in here and say for one moment which are the ones she says she is going to cut, I am sure that everyone would appreciate some policy clarity from the shadow minister.

Let me make this point. The shadow minister is making a new political vocation of talking about the cost of living, but she will not say what it is that the LNP will do; she will not describe what it is they will do. They say that they want to cut electricity prices, but they do not say where the $700 million is going to come from that they would need to pay electricity companies to do that. They say they are going to reinstate the stamp duty concession that was changed in the budget. That is $940 million—nearly $1 billion. Do they say where any of that money is coming from? No, they do not, save for this: they have said before that $200 million would come from the—no, scrap that, they said $400 million, then $200 million—Sunshine Coast University Hospital. That is a one-off raid out of the Sunshine Coast University Hospital that that member has stood in this place and said she supports. Now she stands by

while Campbell Newman wants to rip hundreds of millions of dollars out of the Sunshine Coast University Hospital because they cannot and will not explain where the money for these so-called promises is going to come from.

They stand in here and talk about the fuel subsidy. They talk about a fuel tax. I challenge each and every one of them—or just one of them—to stand up in here and utter the words into the *Hansard*, 'I will abolish the fuel tax,' and not one of them will. None of them will stand up and say any of that on the record. The people of Queensland need to look at what the shadow minister says and what each and every one of them says. Not a single one of them has said at any point how they are going to pay for this. The reason they have not said it is because they cannot say it. They do not know apart from going after the Sunshine Coast University Hospital and, indeed, every other building project around this state.

I invite Queenslanders to do exactly as Campbell Newman has said, and that is judge him on his record. What does his record say? A 42 per cent rise in rates, a tunnel that took $774 million of ratepayers' money with it, someone who said, 'If I increase rates by more than inflation, I will resign'—and let the record show he did not. Rates went through the roof and he did not resign. I invite Queenslanders to judge him on his record.

Bruce Highway, Upgrade

Mr WETTENHALL: My question is to the Minister for Main Roads. Can the minister please update the House on important upgrades recently underway on the Bruce Highway and advise of any alternative visions?

Mr WALLACE: I thank the member for Barron River for his question. Like other Labor members in regional Queensland, he knows the importance of continual upgrades on the Bruce Highway. We are constantly knocking on the door in Canberra asking for funds for the Bruce. The record under Labor is clear to see. Under Labor, funding for the Bruce Highway has increased from $100 million a year under Johnny Howard to over $400 million a year. It shows that Labor has a real commitment to the Bruce Highway, unlike John Howard. One of those major improvements that we are seeing on the Bruce is the construction of 30 new overtaking lanes between Sarina and Cairns. Some of those lanes are being built at Wagoora north of Mackay. Indeed, I was there last week with the great member for Whitsunday turning that first sod. The Minister for Sport saw us turning that sod for the new overtaking lanes on the Bruce.

We have a plan for the Bruce. From Caboolture to Cairns we have a plan for the Bruce and we are looking at 60 major projects on the Bruce. But what would happen if Campbell Newman came to power? What would happen to the Bruce? We know, and he has admitted, that he has not driven the Bruce for a quarter of a century. He has also admitted to the people of regional Queensland that he will not release a plan for the Bruce Highway until six months after the election—if he is ever elected. We know why he is deliberately vague—because he has form. Do not forget that before the 2004 council elections he refused to provide the costings on his five road tunnels. First he told the people of Brisbane that Clem7 would cost $2 billion. Then it was $2 billion plus, plus, which turned out to be Newman code for $3 billion. Just like he fooled the people of Brisbane when it came to the Clem7, so he is trying to fool the people of regional Queensland when it comes to the Bruce.

Campbell Newman is the Peter Foster of Queensland politics. Indeed, I reckon he has been out trying to flog slimming teas to those poor people of Ashgrove. He is the serial fraudster when it comes to Queensland politics: promising something that he can never deliver. I say this to the people of regional Queensland, the people of Cairns, the people of Mackay, the people of Townsville and the people of Rockhampton: do not gamble on Campbell when it comes to the Bruce.

The Island Party Boat

Mrs STUCKEY: My question without notice is to the Minister for Tourism, Manufacturing and Small Business. I ask: why has the minister allowed red tape and regulation to drive Brisbane's iconic *The Island* boat to the wall after it spent $100,000—

A government member: Have you ever been on *The Island*?

Honourable members interjected.

Mr SPEAKER: Order! The member has the call. I would like to hear the question. The honourable member for Currumbin.

Mrs STUCKEY: My question is to the Minister for Tourism, Manufacturing and Small Business. I ask: why has the minister allowed red tape and regulation to drive Brisbane's iconic *The Island* boat to the wall after it spent $100,000 complying with an exhaustive list of government red tape over more than eight months?

Ms JARRATT: I thank the member for the question. I would say to the honourable member that this question is better asked of the responsible minister, which would be the Minister for Marine Infrastructure. However, I do have some information which I can impart.

Opposition members interjected.

Ms JARRATT: If those opposite would care to listen, there is some information I can give. This is not a question of red tape tying up a business—quite the opposite. This is actually a question of public safety.

Opposition members interjected.

Mr SPEAKER: Order! Those on my left will cease interjecting. There is too much audible conversation in the chamber. The honourable minister has the call.

Ms JARRATT: As I was saying, this is not a question of red tape tying up a business. This is a question that goes to the heart of public safety—the safety of the patrons who may choose, unknowingly, unwittingly, to actually purchase a ticket and go out on a vessel that has rust like this in its hull. I table for the information of the House a number of photos showing the lack of structural integrity of that particular vessel. This government takes its responsibility for public safety very seriously and we would never compromise that.

Tabled paper: Bundle of photographs showing rust [5881].

I have been asked a question, and I want to go to the question of red tape and welcome Queensland's new Business Commissioner, Blair Davies, who started his job yesterday. There were some questions about the commissioner's role not just in this place yesterday but also in the media locally. Let me just say that business commissioners are not a new concept in Australia. Every state, except I believe Tasmania, has a business commissioner. Although these commissioners have varied job descriptions, their ultimate aim is to work with businesses to improve the business environment and particularly to look at where red tape reduction can be achieved.

But how bizarre that those opposite would start to criticise the Business Commissioner in his job before he even had his feet under the desk! It makes we wonder why we hear such a lot of noise about it. I think when we hear people squealing loudly we can be assured that they are saying that we probably got this right, that we are doing something that they wish they had thought of. So I welcome Blair Davies to the role of Queensland Business Commissioner and I look forward to him working with businesses and peak organisations in this state to reduce their burden of red tape.

Disability Services

Mrs SULLIVAN: My question without notice is to the Minister for Disability Services, Mental Health and Aboriginal and Torres Strait Islander Partnerships. Can the minister inform the House how the government is delivering stronger services for people with disabilities and those experiencing mental illness and advise of any alternative policies he is aware of?

Mr PITT: I thank the honourable member for the question. Can I just say at the outset that the Bligh government is investing record amounts in disability services, mental health and Aboriginal and Torres Strait Islander services here in Queensland. We have talked before about the record $1.855 billion. That is on top of the more than $1 billion we are putting into mental health services across Queensland.

This morning in the Valley I announced, with Mission Australia, $720,000 in funding for our Resolve Program, which is helping social housing tenants who are at risk of homelessness as a result of perhaps mental illness. It is about keeping their tenancies and ensuring they have a safe and secure place to live. It is a 2½-year trial which is going to help up to 300 tenants to ensure they have a way of preventing the downward spiral of living with mental illness and to ensure they have safe accommodation. I have said before in this place that we have increased the disability services budget here in Queensland by 495 per cent—a massive amount. This figure speaks volumes because it is in stark contrast to what has happened in previous governments. To see this, we only have to look at what has been said about the conservatives when they were in power last under the Borbidge government. Queensland Advocacy Inc. states—

No objective critique of the former Borbidge government's response to people with disability could pass its performance. It was a period noted for policy incoherency, funding cuts, bizarre ministerial communication practices, failed legislative reform and senior bureaucratic ineptitude.

I think we can expect more of that ineptitude under Campbell Newman if he wins power. His 'Just vote 1' strategy, of course, is just a snap decision. When you look at it you see that it was a snap decision which was made without any consultation with anybody.

Opposition members interjected.

Mr SPEAKER: Order! I am on my feet. The minister has the call.

Mr PITT: It was a decision that was made without any consultation with anybody else. That goes to show the arrogance of Campbell Newman and it is only adding to the disunity that we are seeing within the LNP. What is clear is that the more people find out about Campbell Newman the more concerned they are about him. His record speaks for itself. He has a record of failures and broken promises which is putting Queensland's future at risk.

Opposition members interjected.

Mr SPEAKER: Order! Those on my left. The honourable the minister has the call.

Mr PITT: What else is going to put Queensland's future at risk? That is, of course, people flirting with the idea of the Katter party. What we do know is that what they do not get is Bob Katter as their local member in the same way that they did not get Pauline Hanson as their local member when they voted for One Nation. On the one hand we have the LNP, which is trying to be the Steven Bradbury of Australian politics by making everyone else fall over and hopefully crossing the finish line as the last one standing. On the other hand we have the Katter party, with no record of achievement. I am proud to be a part of a government which is delivering. We are creating jobs and focusing on infrastructure and services for Queenslanders. That is about building a brighter and better future for Queenslanders.

Public Transport, Safety

Mr EMERSON: My question is to the Minister for Transport. Yesterday the minister defended the decision to remove staff from train stations and leave them unmanned, saying that those stations were being monitored by CCTV. How can she defend this statement when only 10 cameras, out of the more than 6,000, are being monitored live at any one time?

Ms PALASZCZUK: I thank the honourable member for the question, which I think I answered very comprehensively yesterday. I made it very clear to this House that security on our train stations will never, at any time, be compromised. I also made it very clear to the member yesterday that this is part of early stage negotiations and absolutely no decision has been made. In fact, the member was given a briefing just yesterday by the CEO of Queensland Rail and also by the chairman of the Queensland Rail Board, Stephen Gregg, in which he had many opportunities to raise any issues with them, and broad issues about rail were actually canvassed with him. We have given him full and frank advice in relation to this issue. As I said—and I will say it again in this House time and time again—I will never at any stage compromise the safety and security of passengers travelling on our network.

While I am on my feet, I want to address some issues that were raised yesterday by the Lord Mayor. The Lord Mayor was talking about public transport patronage across our network, especially in relation to buses. I say to the Lord Mayor: if you have concerns about the numbers of people using buses, why do you continually come to me and have meetings with me demanding that we fund up to 80 new buses? You need to get the facts on the table. Why does the Lord Mayor continue to reduce his percentage of contribution to public transport?

Ms Jones: It started under Newman.

Ms PALASZCZUK: That is right. Let us go back to 2004-05. In 2004-05, the Brisbane City Council's contribution to public transport was basically matched with ours: 50 per cent Brisbane City Council and 50 per cent state government. What was council's contribution in 2007-08? It went down to 42 per cent. In 2009-10, how much was it? It was 39 per cent. In 2011-12, how much is it? It is 33 per cent. It started under Newman and continued under Quirk. It is the same old LNP—reduction, reduction, reduction.

Then I had the Lord Mayor come to me about funding the CityCats. He came to me asking me to fund CityCat 17 and CityCat 18. Yes, I agreed to that. Then he asked me to fund CityCat 19. The Lord Mayor has already launched CityCat 19 on the Brisbane River. I am going to say to the Lord Mayor—and let me make it very clear: if you want a partnership, you sit down at the table, you put your facts and figures on the table and you put some money on the table. And don't go criticising if you want money from the state government.

Education, School Leavers

Mrs ATTWOOD: My question is to the Minister for Education and Industrial Relations. Could the minister outline to the House the exciting journey that awaits the class of 2011, who complete year 12 this week, and any other journeys of significance in recent weeks?

Mr DICK: I thank the honourable member for her question, and she is right. Friday this week is a very significant day in the school calendar as 47,000 year 12 students say farewell to formal secondary education in Queensland. It is important that we reflect on their journey in their last week of schooling. It

is an important time to recognise the work they have done and to recognise the work of all staff in Queensland schools, both state and non-state, particularly the teachers who have supported them through those 12 years of education. We should also reflect on their families and their parents who provided them with love, support and encouragement during their journey through schooling. It is an important message that we send out. There will be some members of the parliament who will be farewelling their own children from formal secondary education.

They go into the broader Queensland community at a time when we are on the verge of great prosperity. We are on the verge of one of the most significant mining and resources booms in the 152 year history of this state. They go out there when we look forward to the Commonwealth Games in 2018.

But they are not the only ones taking a new path and forging a new journey. We look up to the corner to the member for Dalrymple, who has taken his hat and gone up to Katter's corner up the back with the member for Beaudesert. I do not always agree with what the member for Beaudesert or the member for Dalrymple say, but I will say this of them: they had the courage of their convictions. They stood up to the bullies in the LNP and found their own path.

Who is going to be next to follow them out of the LNP? Will it be the member for Lockyer? We know the LNP wanted to remove him as the LNP member for Lockyer. Will it be the member for Gaven or the member for Mermaid Beach, whose talents were overlooked for the frontbench? Will it be the member for Condamine? Once a swapper, always a swapper. It is in his DNA. The LNP is not a political party; it is a circus, and that is defamatory to circuses. They are bitterly divided. They do not know what they are doing. They do not know where they are going. They look over their shoulders and fight amongst themselves while this government continues to build the infrastructure for the future, delivering the Commonwealth Games for Queensland and better services for Queenslanders. That is what Labor governments do.

Those opposite have a record of failure under Campbell Newman—a record of broken promises. They are fracturing under Campbell Newman's leadership. All we have are the yapping lap-dogs, Campbell Newman and the opposition leader, to Bruce McIver, James McGrath and Barry O'Sullivan. At least the member for Dalrymple stood up for something. We can only hope that Queensland does not fall for the LNP.

Nambour TAFE, Construction Training

Mr WELLINGTON: My question is to the Minister for Employment, Skills and Mining. Nambour TAFE has a proud record of providing excellent training courses for students in many fields including construction and related industries. Will the minister respond to recent claims that numerous construction training courses at Nambour are to be stopped and that courses are in the future to be provided by private, profit-making businesses?

Mr HINCHLIFFE: I thank the member for Nicklin for his question and for his strong advocacy on behalf of his constituents and on behalf of the Sunshine Coast region in relation to this matter. I share his commitment to training for Sunshine Coast locals. I reiterate to him that we will ensure that TAFE Queensland continues to deliver for that community across the Sunshine Coast.

In the wake of the global financial crisis, the downturn in the construction industry in places like the Sunshine Coast has affected the number of apprentices in the local construction industry. However, as we know, there are a number of housing and infrastructure projects planned for the Sunshine Coast like the Sunshine Coast University Hospital and projects undertaken by the Urban Land Development Authority.

Mr Wilson: Not if the LNP have their way.

Mr HINCHLIFFE: Not if the LNP have their way, as the Minister for Health has said. I am sure I am not alone in wanting to see local tradies working on those construction sites.

In addition, the Bligh government has just held a successful Work for Queensland Mining and Gas Jobs Expo on the Sunshine Coast. The expo strengthened our resolve to work side by side with industry employers and training organisations such as our TAFEs to ensure that we deliver the work skills in the construction and resources sector that we need now and into the future.

With a shortage of skilled workers right now in the country, vocational education and training is more important than ever. There are thousands of jobs on offer in the resources industry, and we will see jobs in supporting industries like construction being developed as well. We want to see Queenslanders, particularly Queenslanders on the Sunshine Coast, being part of that story.

The Sunshine Coast Institute of TAFE has an important role to play in meeting these skills shortages. They are and have been a great training ground for our future plumbers, bricklayers, carpenters and painters. I know that has been delivered very well at the Nambour campus, as the member for Nicklin is very well aware.

I have had discussions with the Department of Education and Training following the issues that the member for Nicklin has raised with me and the director of the Sunshine Coast Institute of TAFE. As a result of those discussions, I have been assured that those courses will remain open. Consultation is currently underway with local employers and apprentices as well as other TAFE Queensland providers like SkillsTech to find the best way to continue the delivery of that training on the Sunshine Coast.

I want to see employers easily keeping their apprentices and those apprentices continuing to train where they live. The Bligh government is committed to seeing three out of four Queenslanders hold a trade, training or tertiary qualification by 2020. That is why we are continuing to be committed to working with the Sunshine Coast Institute of TAFE and other TAFE providers to make sure that construction training continues on the coast. Put simply, TAFE will continue to provide construction training on the Sunshine Coast.

Small Business

Ms MALE: My question without notice is to the Deputy Premier and Treasurer. Can the Deputy Premier advise the House of the contribution of small business to the Queensland economy?

Mr FRASER: I thank the member for Pine Rivers for her question. Small businesses make up 95 per cent of all registered businesses in Queensland. There are some 400,000 of them. They do make a strong contribution across the economy, particularly in regional Queensland where they represent the bulk of employment. They are at the forefront of economic innovation in our economy. That is why we are supporting them with programs like What's your big idea Queensland? The program encourages big ideas to be commercialised.

I want to note for the benefit of the House one particularly innovative company that seems to be taking a new idea to the next step, and that is a company called The Next Level Consulting Services, a company not many people may have heard of but it is owned by someone called David Moore. David Moore might happen to be known to many members of this House as the current chief of staff of the Leader of the Opposition. So The Next Level Consulting Services is a registered lobbyist. Mr Moore says that he is now the current Leader of the Opposition's chief of staff and he did this in the past, but he is still the current owner of this business and is still currently a registered lobbyist.

This raises a very large question. Why is he still the owner of this company while he is working in the Leader of the Opposition's office? What role is he playing in LNP policy making? Is he adopting that tried and true Newmanique approach of using public office for private gain, just as Campbell Newman's family tried to do in the past? These are the questions that should be answered. He remains as a registered lobbyist. This company remains in his ownership. These are questions that the Leader of the Opposition should immediately clarify to the parliament.

Leck, Mr P

Mr MESSENGER: My question without notice is to the Minister for Health. I refer the minister to disgraced former manager of the Bundaberg Base Hospital, Peter Leck, who admitted to a royal commission that he bought a one-way business class air ticket to the United States for convicted criminal Jayant Patel and was also found by the same royal commission to have a case to answer for misconduct while an employee of Queensland Health. I also refer the minister to the fact that Bond University has accepted Mr Leck as a medical student and has confirmed that he will be graduating this year as a doctor. Will the minister allow Mr Leck to be re-employed by this government?

Mr WILSON: I thank the honourable member for the question. If this member has any concerns about the registration of this particular individual then he should raise them directly with the national registration body. That is the first point I make. The second point I make is that any properly registered doctor on the National Registration Scheme will be employed on the same merit based process in Queensland Health as any other doctor.

White Ribbon Day

Mr WATT: My question is directed to the Minister for Community Services and Housing. With White Ribbon Day approaching, can the minister outline what the Bligh government is doing to encourage men to take the White Ribbon Day pledge and if the minister knows of other approaches?

Mr SPEAKER: You have two minutes, Minister.

Ms STRUTHERS: I thank the member for Everton for his question. He will be wearing his white ribbon because he is an active supporter of White Ribbon Day. The Bligh government is building a bright future for Queensland women and we are determined to combat violence against women. Friday, 25 November is the internationally recognised White Ribbon Day—a day of action within Australia, in Queensland and around the world, when men take a pledge to end violence against women.

The Queensland government is a proud sponsor of White Ribbon Day. We have put up $181,000 for the Queensland branch of Australia's CEO Challenge. Men play a critical role in ending violence against women. On White Ribbon Day, men will be asked to be 'Not violent, Not silent' on violence against women. I ask all Queensland men, including men in this House, to take the oath.

Sadly, the outsourced leader of the LNP still has not challenged one of his own LNP candidates. We know that when the candidate in Cairns, Gavin King, was asked, 'If a woman has too much to drink, is she partly to blame for a rape?' he said, 'The answer is surely yes.' He also fantasised about poking a fork in the eyes of a woman, of a waitress who delivered his breakfast too late. This is the kind of candidate they have chosen. Only 15 per cent of their candidates are female—15 per cent. What do they think of women? Only 15 per cent are women and they have defended that and said that it is because they choose on merit. Surely, as they look around the state at the LNP women, they could find more women on merit when they have got McIver and bullyboy O'Sullivan. Those bullyboys are being chosen for Senate tickets and seats around this state ahead of their women. It is absolutely disturbing that this is the calibre of the LNP in Queensland. I do not know what they dislike so much about women, but it is a very, very risky party for Queensland women.

(Time expired)

Mr SPEAKER: The time for question time is over.

PRIVILEGE

Comments by Minister for Government Services, Building Industry and Information and Communication Technology

Ms BATES (Mudgeeraba—LNP) (3.01 pm): Yesterday during the debate on the Weapons Amendment Bill there was an incident that reflected poorly on the Minister for Government Services, Building Industry and Information and Communication Technology and on the government as a whole. On a day when all in this place stood to remember three of our fallen boys, the minister sought to attack our serving soldiers and their families for a cheap political point.

Mr Speaker, I have the privilege of being both a member of parliament and a mother of a serving Defence Force member, and you can imagine my disgust when I returned to this chamber to hear the minister attacking our defence families and their sons and daughters. The minister's actions yesterday reflected poorly on him and on the government. Even when he was forced to withdraw the offending document, he still attempted to justify his inexcusable behaviour in the media. Mr Speaker, I will be writing to you to seek an apology from the minister for the offensive and insensitive act directed not only towards me and my son but towards all of our brave serving military personnel.

SPEAKER'S STATEMENT

Guidelines for Media Conferences, Interviews and Other Filming and Photography

Mr SPEAKER: I remind all members that guidelines apply to media conferences, media interviews and other filming and photography involving political candidates and political party office holders and spokespeople on the parliamentary precinct. Last month I circulated advice to all members in this regard. Basically, there are particular venues and locations here at Parliament House that may be used by honourable members but may not be used by others, irrespective of whether they are a former member or because of some position they may hold. I ask all members to familiarise themselves with the guidelines concerned, not only for their own information but also to bring to the attention of nonmembers who may be in their company here at the parliament.

Ms Jones interjected.

Mr SPEAKER: Order! The member for Ashgrove! I will email all honourable members again today.

PETITIONS

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

Ormeau, Police Station

Mrs Keech, from 1,107 petitioners, requesting the House to give priority to the planning and future construction of a new police station for Ormeau [5882].

Fraser Island, Management

Mr Wellington, from 266 petitioners, requesting the House to change the way the Government manages Fraser Island and require all future decisions in relation to management of the Island to have the supporting agreement of the Butchulla People [5883].

Liquid Petroleum Gas, Rebate

Dr Robinson, a paper and an e-petition, from 95 petitioners, requesting the House to consider granting all Queensland Pensioner Concession and Seniors Card Holders an appropriate rebate for the use of metered Liquid Petroleum Gas (LPG) [5884][5885].

Petitions received.

TABLED PAPERS

MINISTERIAL PAPER TABLED BY THE ACTING CLERK

The following ministerial paper was tabled by the Acting Clerk—

Minister for Disability Services, Mental Health and Aboriginal and Torres Strait Islander Partnerships (Mr Pitt)—

5886 Family Responsibilities Commission: Annual Report 2010-11

MEMBER'S PAPER TABLED BY THE ACTING CLERK

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

Member for Hervey Bay (Mr Sorensen)—

5887 Non-conforming petition requesting the House to undertake an independent scientific review of the current management strategy for Fraser Island dingoes, and other enumerated actions

COMMITTEE OF THE LEGISLATIVE ASSEMBLY

Portfolio Committees, Consideration of Bills

Hon. JC SPENCE (Sunnybank—ALP) (3.05 pm): Before I advise the House of the amendment to reporting dates approved by the CLA today, I wish to put on record the committee's concerns in relation to two matters. Firstly, in relation to the Holidays and Other Legislation Amendment Bill, the committee is concerned that, in addition to the provision relating to public holidays, additional amendments to the Land Sales Act 1984 and the Liquor Act 1992 have been included with this bill. The committee finds it a worrying trend that ministers are putting forward omnibus type bills relating to a number of policy matters that cover a range of portfolios.

The committee notes that presenting bills in this fashion can have the following effects: it can make scrutiny of the policy issues difficult; it can prevent MPs from supporting parts of the bill on the readings of the bill; and it increases the chance that substantive and important issues will be missed due to the complexity of issues in the bill. These issues are amplified when such bills are given truncated time lines. The CLA does not find this practice satisfactory and urges ministers to refrain from it.

Secondly, in relation the Strategic Cropping Land Bill 2011, the CLA has approved a request from the chair and deputy chair of the Environment, Agriculture, Resources and Energy Committee to extend the report date to 25 November 2011. This extension is necessary due to a delay in receipt of material requested from the Department of Environment and Resource Management by that committee. The CLA encourages ministers to work with their departments to ensure that advice requested by portfolio committees is received on time so as to not impede those committees in reporting to the House on bills.

Portfolio Committees, Reporting Dates

Hon. JC SPENCE (Sunnybank—ALP) (3.06 pm): I advise the House that, in accordance with standing order 136, the Committee of the Legislative Assembly has fixed reporting dates for bills currently before committees and varied the committees responsible for bills in accordance with the schedule circulated in my name which I now table for the records of the House.

Tabled paper: Portfolio committees—reporting dates on bills as resolved by the Committee of the Legislative Assembly on 16 November 2011 [5888].

I seek leave to incorporate the schedule in the parliamentary record.

Leave granted.

Portfolio Committees—Reporting dates on Bills as resolved by the Committee of the Legislative Assembly on 16 November 2011		
Portfolio Committee	Bill(s)	Report date
Finance and Administration Committee	*Charitable and Non-Profit Gaming (Two-Up) Amendment Bill* *Criminal Code (ANZAC Day Betting) Amendment Bill*	7 March 2012
Legal Affairs, Police, Corrective Services and Emergency Services Committee	*Criminal and Other Legislation Amendment Bill*	19 March 2012
	Civil Proceedings Bill	19 December 2011
	Civil Partnerships Bill (Private Members' Bill)	21 November 2011
	Commercial Arbitration Bill 2011	21 February 2012
	Police Powers and Responsibilities (Motor Vehicle Impoundment) Amendment Bill	19 March 2012
Health and Disabilities Committee	*One Funding System for Better Services Bill*	19 December 2011
Transport, Local Government and Infrastructure Committee	*Mt. Gravatt Showgrounds Amendment Bill*	22 November 2011
	Stock Route Network Management Bill	6 February 2012
	Sustainable Planning and Other Legislation Amendment Bill	6 February 2012
	Heavy Vehicle National Law Bill 2011	6 March 2012
Community Affairs Committee	*Residential Tenancies and Rooming Accommodation Amendment Bill*	19 December 2011
	Domestic and Family Violence Protection Bill	22 November 2011
	Multicultural Recognition Bill	5 March 2012
Environment, Agriculture, Resources and Energy Committee	*Strategic Cropping Land Bill*	25 November 2011
	South-East Queensland Water (Distribution and Retail Restructuring) and Other Legislation Amendment Bill	5 April 2012
	Protecting Primary Production Amendment Bill	6 March 2012
	Biosecurity Bill	19 March 2012
	Environmental Protection (Greentape Reduction) and Other Legislation Amendment Bill	20 April 2012
	Chicken Meat Industry Amendment Bill 2011	6 March 2012
Industry, Education, Training and Industrial Relations Committee	*Holidays and Other Legislation Amendment Bill*	28 November 2011
	Vocational Education and Training (Commonwealth Powers) and Other Acts Amendment Bill	6 February 2012
	Surat Basin (Long-Term Lease) Bill	19 March 2012
Parliamentary Crime and Misconduct Committee	*Criminal Organisation Amendment Bill*	21 November 2011

EDUCATION AND CARE SERVICES NATIONAL LAW (QUEENSLAND) BILL

Resumed from 6 September (see p. 2773).

Second Reading

Hon. CR DICK (Greenslopes—ALP) (Minister for Education and Industrial Relations) (3.07 pm): At the outset of my comments during this second reading debate, I want to thank the Industry, Education, Training and Industrial Relations Committee for its report on the Education and Care Services National Law (Queensland) Bill 2011. I know the committee worked hard to examine the bill. They called for public submissions, consulted departmental officers and held a public hearing before developing their report on the bill in a fairly short time frame, and I thank them for that.

I am also aware that a number of stakeholders interested in this bill appreciated the opportunity to provide submissions and to personally brief the committee about their own perspectives on the national law. I table the government's response to the committee's report and its recommendations which provide further information as requested by the committee.

Tabled paper: Industry, Education, Training and Industrial Relations Committee, Report No. 4 Education and Care Services National Law (Queensland) Bill 2011—government response [5889].

The committee's first recommendation was that the bill proceed, subject to the amendment recommended and consideration of the points raised in the committee's report. The government thanks the committee for its support of the bill. The committee's report advised that a copy of the national law to be adopted in Queensland by this bill should have been tabled with the bill. The national law is found in the schedule to the Victorian Education and Care Services National Law Act 2010 and is readily available on the Victorian parliamentary counsel's website. Despite this, I concur with the committee's view and agree that, as far as nationally applied laws processes go, it would be desirable to establish a practice of tabling a copy of the legislation to be applied in Queensland. Preferably, a copy of the legislation should be tabled at the time the bill is introduced. As invited by the committee, I table a copy of the schedule to the Victorian act for the information of honourable members.

Tabled paper: Schedule, Education and Care Services National Law. [5890]

The committee also expressed the view that the National Partnership Agreement on the Quality Agenda for Early Childhood Education and Care should have been tabled at the time the bill was tabled, given that the bill intends to give effect to Queensland's commitment under that agreement. A copy of the national partnership agreement, which was signed by all participating jurisdictions in December 2009, can, of course, be viewed at the Council of Australian Governments website. However, I agree with the committee that, in order to provide parliament with comprehensive information about the national law that the bill proposes to apply in Queensland, tabling a copy of the national partnership agreement would be beneficial. Therefore, I also table a copy of the national partnership agreement.

Tabled paper: Council of Australian Governments, National Partnership Agreement on the National Quality Agenda for Early Education and Care [5891].

The committee's second recommendation was that a clause be inserted into the bill to provide that the member of the ministerial council representing Queensland is to make arrangements for the tabling of any amendment to the education and care services national law in this Legislative Assembly. The committee's report commented on the apparent inconsistency in the national law, which requires the tabling of any regulations made under the law but does not require the tabling of any amendments to the national law itself. The committee indicated that it has concerns about the ability of the Queensland parliament to scrutinise future amendments to the national law.

I would like to comment briefly on this issue, which arises from the way in which the national law has been developed based on precedents set by other nationally applied laws. The national regulations, which are made by the ministerial council, must be tabled in the houses of parliament in each participating jurisdiction, which may move a motion to disallow them if considered necessary. However, a disallowance motion does not have any effect unless the majority of the parliaments of the participating jurisdictions also disallow the regulations. In contrast, amendments to the national law will not be made by the ministerial council; they will be negotiated by the ministerial council and subsequently progressed by amending the Victorian act. Once passed in Victoria, the amendments will apply automatically in each participating jurisdiction because of the legislation which applies the national law. This process means that the Queensland parliament will not have an opportunity to scrutinise amendments before they are applied. However, the process aligns with the application-of-laws approach to developing national laws by having the jurisdictions agree to amendments to the national law before they can be passed in the host jurisdiction.

Nevertheless, the government is resolute in its determination to keep parliament and the people of Queensland fully informed about any future amendments to the national law. Therefore, I thank the committee for its recommendation to include a clause requiring future amendments to be tabled. This is a positive recommendation that the government supports, and I will move an amendment during the

consideration in detail of the bill to insert the proposed new clause. For consistency with the national law process, the clause will clarify that if future amendments to the national law are not tabled this will not affect the application of the amendments in Queensland.

The committee's report did not make any other recommendations. However, it invited me to respond to three issues. Firstly, the committee's report asked whether the time frames for the implementation of the national quality framework should be extended to allow further time for training staff and to reduce the cost impacts of the legislation on parents. Some members of the committee expressed serious concerns about the cost impacts on parents and questioned whether the cost impacts are manageable under the stated time frames. In response, let me say that, while services will be required to meet certain requirements from 1 January 2012, many aspects of the national quality framework will be implemented gradually. This strategy acknowledges the need to transition to the new arrangements in a way that best manages the impacts on the sector, including staff and parents. For instance, the first of the new staffing arrangements, which is a requirement to have an early childhood teacher, will not commence until 2014. The revised educator-child ratios will come into effect only from 2016 and some of the new requirements will be delayed until 2018 because of special transitional arrangements negotiated by the Queensland government that are designed to assist Queensland services.

The committee's report also queried whether long-day-care services would be ready for the upcoming changes, such as quality assessments and ratings. Long-day-care services have been undertaking quality accreditation processes under the National Childcare Accreditation Council for many years. Therefore, they are well placed in relation to the new assessment processes. The government is confident about their readiness to implement the changes being introduced by the national law over the next few years.

The rollout of the Queensland Kindergarten Funding Scheme to the long-day-care sector has also seen many long-day-care services taking up the opportunity to employ a four-year qualified early childhood teacher to deliver the program. The government has also been undertaking continuous engagement with the sector during the development of the national law and national regulations to keep everyone informed about the coming changes, such as staged time frames for the introduction of the new educator-child ratios and staff qualification requirements. Following the ministerial council's approval and release of the draft national regulation on 14 October, we have been running a series of information sessions around the state. These sessions have been popular and very well attended. I am advised that the level of interest and the detailed questions asked of departmental officers by participants at the sessions indicate that the sector already has a very good grasp of the legislation.

Secondly, the committee's report invited me to consider, in negotiations over the content of what will be published about service assessments, taking the Queensland position that a centre that has obtained a waiver either is rated as not required to meet a relevant requirement with reasons or is taken to comply with the requirement. The granting of a waiver, whether it is temporary or ongoing, recognises that, because of factors beyond its control, a service is unable to comply with a particular regulatory requirement but has other measures in place to ensure the health, safety and wellbeing of the children being educated and cared for at the service. If granted a service waiver, the service is taken to comply with the element of the national quality standards and the national regulations specified in the waiver. Therefore, a service waiver does not impact on the service's rating. A service with a temporary waiver is not required to comply with the element or elements that have been waived. The way in which this may affect a service's rating is currently being considered, and the department is participating in discussions at the national level to determine the policy in relation to this issue.

Information about the rating level of a service will be contained in the register of approved services. However, the legislation does not authorise information about waivers to be included in the register. Despite that, there are other means by which information about waivers will be made available to the public. For instance, the approved provider is obliged to display information at their service about a range of matters including any waivers that have been granted to the service. Displaying this information at the service will enable parents and others visiting the service to be aware of the existence of the waiver.

Thirdly, the committee's report invited me to comment on what Queensland will do between now and 2016 and 2017, when the most significant cost drivers take effect in Queensland, to support parents and ensure that access to a quality kindergarten program is truly universal and that parents have a choice between community kindergartens and private providers, including long-day-care centres. The Queensland government is working hard to ensure that the national quality framework strikes the right balance of enhanced quality and service provision at an affordable price for parents. From 2014, long-day-care services will be required to engage an early childhood teacher, and family-day-care educators will require a minimum certificate III qualification. However, our rollout of universal access to kindergarten will offset some of the impact of having to employ a teacher for kindergartens and long-day-care centres eligible for funding under the Queensland Kindergarten Funding Scheme. To achieve universal access from 2014, the Queensland government is investing in kindergarten reforms through

improving the quality and consistency of early childhood programs, building kindergarten infrastructure in areas of unmet need, supporting the development of a skilled early childhood education workforce and increasing access and participation for children across Queensland, ensuring that cost is not a barrier to access.

The government is investing $321 million to establish up to 240 extra kindergarten services across Queensland in the areas they are needed most by 2014. These extra services are targeted at kindergarten-age children who do not attend centre based child-care services. We will establish a total of 108 extra kindergarten services by the end of 2012 on state and non-state school sites, with a further 13 to open in 2013. In 2009, for the first time, long-day-care services were able to apply for government funding to offset the cost of providing a teacher to deliver an approved kindergarten program for 15 hours a week, 40 weeks a year. This assistance for long-day-care services to deliver kindergarten programs provides more choice for Queensland families and creates new opportunities for long-day-care services.

The national quality framework ensures that parents will have access to information to help families make informed choices about which service is the best for their child. Services will be rated against seven quality areas and will be given an overall rating that they will be required to display. Parents will also be able to view these ratings online, thereby providing them with useful information to guide their decision making about education and care for their child.

Again, I would like to take this opportunity to thank the committee for its consideration and reporting on the bill. As I outlined to the House in my explanatory speech, the bill provides for Queensland to be part of the national approach to the regulation, assessment and quality improvement of early childhood education and care services though the creation of the National Quality Framework for Early Childhood Education and Care. It establishes a new nationally consistent set of quality standards for all kindergartens, long-day-care centres, family day care, outside-school-hours care and pre-prep services that all states and territories are committed to delivering. I commend the bill to the House. I move—

That the bill be now read a second time.

Dr FLEGG (Moggill—LNP) (3.20 pm): The Education and Care Services National Law (Queensland) Bill 2011 introduces the national quality standard supported by the national law, which is the subject of the bill before the House, and subordinate legislation which sits under that national law, usually referred to as the national regulations. The first issue with this major and complex reform that I would raise relates to the national law and national regulations. I walked into a child-care centre the day that these were first released publicly and I saw this pile sitting on the desk of the director. I said, 'Have you got a copy of that for me?' She laughed quite loudly and said, 'That is one copy, not multiple copies.' This 12-volume set is, in fact, what child-care operators in Queensland are expected to read and implement by 1 January.

I would remind the House that those who work in the child-care industry are the people we want to have time to look after and care for our children. We should be mindful of the burden that red tape presents to people in this industry and the potential distraction and loss of time that might otherwise be spent on caring for our children in this setting. I think that is an extraordinary amount of law and regulation to impose in such a short time on such a major and already complex care-providing industry.

I want to speak now in relation to the national quality framework. The LNP is committed to the highest quality child-care and early childhood education standards for Queensland families and children. There should be no mistake about that. We understand that there are likely to be some significant benefits from a national law and from the organisation set up under this law, the correct title of which is the Australian Children's Education and Care Quality Authority. It will oversee the framework and the regulation and accreditation of child-care providers. This, in fact, may well simplify some of the difficulties under the existing system of dealing with both state and federal regulatory bodies for different aspects of regulation and accreditation. However, all things come at a cost and the cost here is significant. In the view of the LNP, it is too significant to support these measures in their entirety as they are envisaged here.

The LNP will not be opposing the bill which sees the implementation of the national quality framework. However, we will seek the government's support to amend the bill in a way to reduce the cost impact on parents by seeking a further deferment of the most onerous provisions as they apply to the Queensland industry and the associated costs, which we all know will be passed onto Queensland parents and which, in fact, have to be to be passed onto Queensland parents. The cost increases in the provision of child care that will be passed onto Queensland families are broadly the result of two areas contained within the national bill and the national regulations.

The first of those areas is staff qualifications and the second area is the ratio of staff to children, which I note the minister referred to in both his second reading speech and in his comments here today. The latter, the change in staff-children ratio, will have a resultant significant reduction in the numbers of children that individual centres are licensed to care for in Queensland, a significant increase in the

number of staff and, inevitably, a significant increase in cost which will have to be borne by families who use those services. It should be stressed that these significant costs are a direct consequence of the changes contained in these measures and are in addition to significant other cost pressures that the industry is experiencing, including wage pressures.

The first issue, from our perspective at least, is to seek to quantify what the daily cost impact of these changes is for parents. Whilst the government has suggested an increase of around $6 a day, virtually no industry participants support that assessment. Representative bodies, basing their conclusions on feedback from their centres as well as an array of individual child-care and kindergarten centres contacted by the LNP, suggest that average increases will be more in the order of $13 to $15 a day, the latter being contained in an independent evaluation carried out by Urban Economics and based on expected cost increases specifically for Queensland centres.

However, the impact of this national law and regulations will fall disproportionately on centres depending on their current set of circumstances. We have credible information, which has come both from representative bodies and from individual centres, that some centres will need to raise fees by as much as $25 a day. So the government has conceded a $1,500 a year increase in the cost of caring for a single child, whilst the overwhelming predominance of opinion within the industry indicates that we will have an increase of around $3,500 per year for every child, but there would also appear to be no question that in some cases the increase will be as high as $6,000 a year per child.

I notice that the government relies heavily on the fact that a percentage of these expenses will be picked up by the federal government's child care benefit and tax rebate system, but it is unlikely that in the majority of cases this will meet even half the cost, and industry participants are keen to point out that the child-care rebate was, in fact, recently significantly reduced by the federal government. The adverse consequences of high child-care fees include impacts on the affordability of child care; the withdrawal of children from child care whose families can no longer afford to pay for it; an increase in backyard or informal child care; and, notably, and commented on widely, the withdrawal of working parents from the workforce who find it no longer worth their while to go to work and afford the very, very high levels of cost that are associated with having quality care for their children.

It is for these reasons that the LNP is opposed to at least the most costly element of the proposal, and I would hope that the government would consider this and support us in our efforts to try to ensure that quality child care remains affordable for Queensland families. It is our belief that we should be striving for the highest possible standards. This bill, in an unamended form, may in fact have the opposite effect, meaning that because of reduced affordability fewer children are actually able to participate in early childhood education and quality care programs. More children are likely to be left with friends, neighbours, relatives or other unregulated carers. Of particular concern, many more parents than at present will simply find child care unaffordable.

Whilst I am on the issue of cost increases, which I think is central to the matter before us, I will be calling on the minister to commission a revised cost impact estimate that is detailed and that deals with the situation specifically here in Queensland. This matter needs to be dealt with urgently. In the light of the serious financial stress that many Queensland families are feeling, I would refer the minister to the 2011 QCOSS report on poverty in Queensland or the earlier 2010 Salvation Army poverty in Queensland report and respectfully suggest that, if he is doing his job properly, he will provide a revised family impact statement based on a realistic assessment of the cost increases contained in these measures for Queensland families. We are dealing with something that is integral to the overwhelming majority of Queensland families with young children. It is not acceptable to have major areas of doubt about the impact the government's decision will have on those Queensland families.

Information provided by the largest peak body representing child-care industry participants in Queensland, Childcare Queensland, states—

Our own research indicates that one in two parents will consider withdrawing their children from early learning programs if the Government does not offer compensation for the increased costs and if policy safeguards are not put in place immediately.

The Childcare Queensland report goes on to state—

A survey of families reveals that household budgets are tight and under present circumstances there is little indication of future improvement. (National CAA Survey) *79.3% of parents of children attending long day child care centres say if these anticipated fee increases are realised they could* **not afford** *to have their child or children continue at their centre.*

This is supported by the increasing fee arrears leading to service termination for children and bad debts being reported by services. Current trends show that families are now withdrawing children from services or reducing enrolment days across the state. We know that if these reforms are implemented that the labour supply of married mothers—

And I am quoting, so I am not using a gender reference there—

will decrease. The April 2010 Treasury Department's Working Paper states that *"in contrast with previous Australian estimates, the cost of childcare does have a statistically significant and negative effect on the labour supply of married mothers. This finding supports policy that reduces the costs of childcare to encourage maternal labour supply." On average, a gross price increase of 1% would be expected to reduce the hours worked by married mothers with young children to decrease by 0.7% and the employment rate of these mothers would decline by 0.3%.*

In other words, this official assessment indicates that child care is very price sensitive and that a significant increase in the cost of child care significantly reduces the hours that families are able to send their children to child care and also has a significant impact on the workforce participation rate of the caring parent.

I believe that Australia has a quality child-care sector. In this shadow portfolio, I have had the great pleasure of visiting quite a lot of child-care centres and kindergartens around Queensland. Many of those centres already perform above the standards that are envisaged for them. Some that I encountered already employ staff with the higher qualifications that are envisaged in these regulations. If we consulted parents across Queensland, we would find they have a very high regard for the quality of the services that already exist. That does not mean that we should not be striving to improve the quality. It does not mean that we should not be trying to weed out the small minority of services that do not meet quality standards. However, it does mean that we should start from a position of acknowledging that in this state we already have a quality industry and changes that the government may seek by law to impose on it should be done with considerable regard to the industry's views and with considerable consultation.

The other area that I referred to earlier as having a significant cost impact is that of the staff-pupil ratios. Those ratios are readily available. It does not take an economist or an accountant to work out that where you have two staff and eight students in a baby or toddler room in a Queensland child-care centre, as under the current regime imposed on those centres by the Queensland government, and you change the ratio for that room to two staff to six students, you would have both a significant reduction in the capacity of the centre and a significant cost increase to parents. This is the area that is of great concern to the industry. In some cases, the reduction in capacity is of concern to bankers. We have reports that already bankers are asking child-care centres to repay or reduce their loan liabilities to the bank because of an expected erosion of the profitability or turnover within those centres.

It is my assessment that, among the various measures contained in the regulations to this national law, this is the one that will have the greatest cost impact on parents. That is why, on behalf of the LNP, I have circulated in the chamber an amendment. In that amendment we seek to defer the changes in the staff-child ratios until at least 2020 for existing centres—not for new centres, but for existing licence holders—that are and have been operating successfully and providing quality care under the existing ratios that, until now, have been the policy of the Queensland government. In 2020, the Queensland government, whoever it may be at that time, would be able to again scrutinise the cost impact of its decisions on the parents of young children in Queensland to see if, at that point, these measures, which may well be desirable in theory, have defeated their own purpose by leading to the care being unaffordable.

Another area that has created a vast amount of concern and comment within the industry, and I note again was referred to by the minister in his comments here today, is in relation to the serious issues about the supply of skilled and suitably qualified labour within the industry, in particular but not restricted to four-year university trained early childhood teachers. I note that even groups like the Independent Education Union of Australia and a range of other stakeholders have raised this issue.

It is a very serious issue because this is a major change, particularly in relation to four-year trained early childhood teachers. By definition it is going to take at least four years to produce more four-year university graduates even if we started today. The minister has made some reference to the issue of waivers in the event that child-care providers are unable to meet some of the conditions imposed here. That is all well and good but it remains pretty nebulous and, to my mind, very badly defined. The industry is strongly of the view that, even if they receive a waiver because a suitably trained teacher is not available, they will still be ranked as a failure when they are accredited under these provisions or at the least they will be ranked at the bottom of the class.

An enormous amount of research has been done in this area, some of which is by the Australian Productivity Commission which produced a draft research report dated June 2011. I would recommend that anyone interested in this issue have a look at that report. The commission describes significant issues relating to the workforce in this industry. For example, in its chapter on recommendations it states the following—

These qualification requirements will be imposed during a period in which increased staff-to-child ratios will be implemented in many jurisdictions. This will require more workers, with a higher average level of qualification, than is presently the case. This will significantly raise the cost of—

early childhood education and care. It goes on to say—

The workforce impact of these already-agreed reforms will fall most heavily on preschool and—

long-day-care—

services. Supply is expected to take some time to adjust, and demand is unlikely to be met in the short term. ... many new workers will be needed ...

It then goes on to describe that Queensland will be particularly hard hit. It would do the government good to be mindful of the fact that we may be introducing a uniform national law, but what occurs within the state of Queensland currently is not uniform in terms of what is happening in the other states. That is why the imposition of this set of regulations in this state will have a greater impact on the cost to families than it will in the other states. The Productivity Commission says—

However, Queensland, South Australia, the Northern Territory and the ACT will need to make more substantial progress to meet the new standards.

The rate of adjustment in supply is likely to be more rapid for VET-trained service directors and contact workers than it will be for teachers. The reforms increase demand for teachers, and teachers need to have completed a 4-year university degree before being able to fill a teacher position (though some jurisdictions will recognise already-completed three year degrees in the transition period). In the case of service directors and contact workers, however, staff are only required to be working towards a relevant certificate III or diploma ...

The Productivity Commission goes on to describe the fact that morale in the industry is poor and that pay levels are relatively low compared with the pay levels that are paid within, for example, the primary school teaching area where teachers have similar, if not the same, levels of qualifications. It goes on to say—

However, the supply of teachers will be slow to adjust, as a teaching degree takes four years to complete. In addition, the capacity of the university sector to expand is limited by the availability of quality practicum experience for teaching students.

I go on at some length about this issue because it is a major issue for the constituency that we are talking about in the child-care industry. Under these regulations, every child-care centre will have to have, in effect, a schoolteacher in their centre. That is not only a significant cost but, in this environment qualified, university trained early childhood schoolteachers are simply not present in the system in the sorts of numbers that are needed.

Before I leave the Productivity Commission report, which I think is compulsory reading for those who are interested in this area of child care, it goes on to make some very poignant remarks in relation to assisting children who have particular disadvantage or disability. It goes on to make some particularly relevant points about assisting Indigenous children and Indigenous families with their access to child care. Further, it goes on at some considerable length to make recommendations in relation to how we assist people who live in remote areas to access these sorts of services.

I turn to some of the other issues around employment. I contacted and met with the largest employment agency that recruits staff into the early childhood sector. Their response reads—

My final point would be that we are currently recruiting for over 100 teacher roles Nationally—

that is early childhood teachers—

and not in a position to fill even 10% of these within a month, even though we are the largest online advertiser for early childhood across the job boards at over 30% of all ads.

So already, even before this is enacted, we are being told that these vacancies simply cannot be filled at the present time. In its submission, the Independent Education Union of Australia also commented that the shortage is so acute that the government, in their view, should consider recognition of prior experience to allow people already operating in these jobs but not holding the required qualification to continue to do so until they leave the system by what the union refers to as 'natural attrition'. I am a little worried about natural attrition, but I think we know what they mean.

In relation to this issue of labour supply, there is, without doubt, not an early childhood teacher available for every child-care centre in Queensland. That cannot be changed overnight or even in the medium term. When it comes to the issue of waivers, if that decision were to be the responsibility of an LNP government, we would be taking a very common-sense approach, recognising the fact that the required labour force that the government is requiring of the industry simply does not exist at this point.

I think it is prudent to mention the fact that this bill also applies to kindergartens because Queensland has what C&K—and I am sure others—refer to as a 'unique' community kindergarten sector. C&K, in fact, said—

There is no acknowledgement of Queensland's community kindergartens within the new National Quality Framework. This appears to undervalue the Queensland Government's Project 240 where the term 'Kindergarten' is focal. Queensland kindergartens are not categorised or defined within the document. Such an omission is misleading in relation to early childhood education and care provision for 3 to 4 year olds in Queensland.

I think the focus of debate has been around child care, but we should not forget that Queensland has hundreds of stand-alone kindergartens, many of them community kindergartens operated by wonderful, hardworking parent committees. They also will be subject to the provisions of this bill.

Elsewhere within the child-care industry one of the representative bodies—Childcare Queensland—makes some points that need to be added to the debate here and I think commented on by the minister. Firstly, Childcare Queensland made this point in relation to the granting of waivers—

With the shortage of qualified educators this is expected to be the position, a service may apply for a "waiver" however at the last known position of the national regulations a service with a waiver does not meet national standards.

They go on to make a number of other points that I think need to be raised. The loss of licensed capacity is specifically raised. They state—

From a survey of members, CQ estimates a loss of 6 places per day or 30 places per week per centre. For the sector that is an estimated loss of licensed capacity of say 1,400 long day care centres representing 42,000 places per week. This in turn will cause banks to call for valuations as value of services fall below borrowing ratios. To ensure viability, the cost of these licence losses will be passed on to families in the form of increased fees.

They also raised the issue that across Queensland, in a fairly patchy manner and particularly because of the strain on household budgets, many child-care centres already have significant vacancies. That is not to say that, because from time to time and in certain areas there are significant vacancies, the total licence capacity is not of importance, for reasons that should be obvious. But Childcare Queensland warn—

Members are indicating that they are experiencing the lowest utilisation rates since the devastating downturn in 1997-2000. Operators are reporting closing rooms on some if not all days, utilisation rates of less than 50% and concern is high as to how they are going to survive. For a service to remain high quality it must be viable and some of those who have made contact are negotiating with their bankers and we do know that pressure is being applied for them to pay out their loans.

...

Services are reporting additional underutilisation in baby rooms due to the Paid Parental Leave Scheme—

although I would think it is probably more likely due to the cost of child care—

Members are considering closing baby rooms after 1/1/12 when the new regulations are due to commence. This will impact greatly on the ability of mothers to return to the paid workforce.

They go on to raise a point that I am sure few people, apart from those who are parents of young children in this state, are aware of. They state—

The Australian Government has displayed an additional absolute lack of concern for the viability of families in the workforce by reducing the Child Care Rebate from $8,100 to $7,500 and in placing a freeze on indexation of this amount for four years.

That is also mirrored in the cost of kindergarten services in Queensland. In the *National Partnership Early Childhood Education: Bilateral Agreement on Achieving Universal Access to Early Childhood Education: Queensland Annual Report 2010*—it is a bit of a lengthy title—it shows quite clearly that in 2009 the actual cost of kindergarten programs in Queensland was such that only seven per cent cost more than $60 a week in 2009—93 per cent of kindergarten places in Queensland cost under $60 a week in 2009. Just a year later, in 2010, 48 per cent of kindergarten places in Queensland cost more than $60 a week. That is a kindergarten program. That does not include the cost of child care. The average length of a kindergarten program was just over 13 hours. So there is already a substantial cost impact that is affecting the provision of child care and the costs that parents have to pay. The last thing that LNP members on this side of the House would ever want to see in this state is quality child care and access to good early childhood education in the form of kindergarten education denied to Queensland families simply because they could not afford it.

Following on from some comments that I made earlier, there was a further report done by the University of Canberra. It found the same findings that I reported earlier: that parental participation in the workforce is very, very strongly linked to the cost of child care and that it becomes simply too hard for parents to bear. I suggest to members that they speak to some of the child-care centres and some of the parents in their electorates and find out just exactly how much child care costs, because it is the most costly period. It is more costly in most cases for working families than sending their children to a private school, it is more costly in most cases than paying university fees, and we should be cognisant of that.

The final point that I would like to raise relates to some matters that came up in the committee's report and that perhaps have a general application to this bill and other national bills, and that is that we have to be very careful in enacting national legislation because some jurisdictions are becoming increasingly concerned that in enacting national legislation we give away some of the rights that Queenslanders might expect that their parliament would have. I think in part this was alluded to by the minister in that, although we might move in this parliament to disallow a particular regulation, it does not have the effect of disallowing that regulation. The regulation under a national law will only be disallowed if a majority of the states that are party to that national law move to disallow that regulation. So we have in fact given away significant ability to influence what happens within our child-care and early childhood education sector by participating in a national law.

I note that concern on this matter is sufficient in some jurisdictions that they are considering having a mirror law rather than a national law which does not take away from their parliament the ability to disallow the regulations that will from time to time be put forward as subordinate to the national law. I raise this point because I think that some members here—and certainly the vast majority of industry participants—would not be aware of the fact that once we subscribe to this law we will be bound by all the future regulation changes that may come under this law and we will not have the ability in this parliament to disallow those regulations if we do not like the impact that they have on our state.

In concluding, I want to reiterate that the LNP is heavily committed to the highest quality of child care, but we are equally committed that that child care be affordable. We have attempted to strike a balance—and I hope the minister will give us credit for, and even consider, the amendment we have circulated—between not opposing this bill, because there are measures associated with the quality of child care that we would like to support, and certainly supporting the notion of continually improving the quality of both child care and early childhood education. However, in striking a balance we have sought to modify the most costly measures contained in the regulations under this national law to meet that balancing commitment to try to keep child care affordable so that we do not see Queensland parents withdrawing from the workforce, so that we do not see Queensland parents taking their children out of safe, quality child-care services to leave them with friends, neighbours and relatives simply because that service has become too expensive for them to afford.

I have circulated that amendment. I would hope that the government is going to have a very strong look at supporting the LNP in modifying this bill to try to reduce the cost impact on parents. We look forward to the government's response.

Mrs STUCKEY (Currumbin—LNP) (4.01 pm): I rise to speak to the Education and Care Services National Law (Queensland) Bill 2011, introduced on 6 September by the Minister for Education and Industrial Relations, the honourable member for Greenslopes. This was referred to the Industry, Education, Training and Industrial Relations Committee to report by 31 October. As a member of this committee, I would like to place on record my appreciation to Bernice Watson and her support staff who ensured that we were well informed in relation to this bill. I would also like to thank education department director-general, Julie Grantham, and departmental staff as well as others who made submissions and gave us a broad overview of the varying issues and effects of this bill should it pass through the parliament. The committee recommended that the bill proceed subject to the amendments recommended and consideration by the minister of the points raised in its final report which the shadow minister, the honourable member for Moggill, has dealt with in detail in his speech to the parliament.

The primary objective of this bill is to apply the education and care services national law set out in the schedule to the Education and Care Services National Law Act 2010 of Victoria as a law of Queensland. This legislation has been introduced following an agreement by the Council of Australian Governments in December 2009. Provided for under this agreement is the establishment of a jointly governed uniform national quality framework to facilitate the introduction of a new national quality standard for early childhood education and care services. These will include long-day-care services; family day care services; preschool, known as kindergarten in Queensland; and outside school hours care services.

The new national framework will not cover services that are not regulated such as nannies, babysitters, play groups and child-minding services in hotels, resorts and shopping centres. These new regulations will set out the national quality standard, the assessment and rating system, child-staff ratios and fees associated with the national quality framework.

The final draft regulations were published on the Australian Children's Education and Care Quality Authority's website on 14 October. Nevertheless, the industry raised its concerns with the rushed implementation of the national laws, given that the final regulations were not yet known just three months out from the intended commencement date. The national quality framework will be implemented progressively from 1 January 2012 through to January 2020, hence the need to have this legislation pass before the end of the year. Notably, in Queensland the changes in staff-child ratios will be in place from 2016 while the provisions relating to qualifications of staff will be effective from 1 January 2014.

Additionally, the national law will introduce the following: a perpetual service in the provider approval system, consideration of fitness and proprietary of providers and supervisors of education and care services, certified and nominated supervisor positions, temporary and permanent waivers where services are unable to meet specific requirements relating to these national standards, and the power to publish information including noncompliance information and a service's rating level.

Under the proposed laws, both service providers and the services they offer will require approval. It is understood that all existing licensees will automatically be approved providers under the NQF. However, all new applicants will be required to meet set criteria. Positives should be achieved through national harmonisation of licensing, eliminating the process to apply for multiple licences across jurisdictions. However, the costs of implementing these reforms will be significant both for the state government and for service providers and ultimately families.

The explanatory notes state that funding from the Commonwealth government under the national partnership agreement is not expected to fully meet the government's costs of implementing the national quality framework here in Queensland. As such, the Department of Education and Training will 'have to draw on existing resources to reduce the cost of implementing the national quality framework in 2010-11 and 2011-12 and will absorb any recurrent shortfall in national funding from 2012 to 2013'.

In its examination of this bill, the Industry, Education, Training and Industrial Relations Committee received six submissions from industry bodies and stakeholders. They were from the Creche and Kindergarten Association, the Independent Education Union of Australia (Queensland and Northern Territory branch), Childcare Queensland, the Commission for Children and Young People and Child Guardian, the Queensland Council of Parents and Citizens Association and the Glennie School Toowoomba.

The committee also held a public hearing on 12 October this year at Parliament House and heard from a number of these key stakeholders. Submitters generally supported moves to improve the quality of child-care and early education services for Queensland children, although there were a significant number of concerns raised. The majority of submissions tended to focus on implementation issues associated with the national quality standard and the national regulations rather than the bill itself. Unfortunately, this is the case with so many of Labor's bills—little or no consideration for those who have to somehow manage to implement them. As one local Gold Coast provider observed, 'Creating reform is the easy part. Implementing the reforms is the hard part. Some large cracks are beginning to appear in implementing this reform process because of the sheer costs involved.'

The Creche and Kindergarten Association, or C&K, is a community based early childhood association operating in Queensland since 1907 with over 400 government funded centres and child related services across the state. C&K outlined a key concern in their submission with regard to the continuation of volunteer parent management committees that currently play a key role in the management of community kindergartens. The new national quality framework will introduce significant legal and financial responsibilities along with employment and workplace health and safety laws that may put undue pressure on the current volunteer parent management committees to the point where they may be untenable. Such areas require specific expertise that volunteer parents would not be expected to have.

C&K put forward a recommendation to explore the option of cluster management of geographically aligned groups of services as well as annual training for committee members on governance of a not-for-profit organisation. Among a number of key stakeholders, including local centre operators in my electorate, there are very real concerns about the impact of the increased costs that these reforms will have on families. C&K estimate an increase of some $5 to $6 per child per day to cover compliance costs, but Childcare Queensland believes the impact of these regulations on its centres will be much greater.

The state government's forced construction of new kindergartens on the southern Gold Coast will greatly reduce occupancy at long-day-care centres that currently provide these services. As such, this may cause room closures, greatly increasing operators' overheads and costs—costs that will have to be passed on to parents.

The government did not plan and did not consult with local industry to determine the real demand and need for additional services, which in fact was none. Now there is an oversupply of kindergarten services. This operator believes some of the new government built kindergartens may even be empty. One centre at Burleigh is a $2.7 million state-of-the-art facility designed and built around existing Queensland staff-child ratios. New staff-child ratios and new room ratios will impact on the physical delivery of service. Again, this will result in a loss of places per day and room closures, which is a slap in the face considering the enormous investment operators have made in their facilities.

Childcare Queensland predominantly represents the private sector. Their membership covers over 800 long-day-care centres, of which there are approximately 1,400 in Queensland. In their submission to the committee, they estimate an increase in fees of $15 per child per day, which will certainly put added pressure on already struggling families and may force them into lower quality 'backyard' child-care arrangements. The honourable member for Moggill highlighted this concern on several occasions during his presentation to the House.

Childcare Queensland submitted that disadvantaged families are already fleeing the child-care sector and exiting the workforce, citing the lowest utilisation rate since the downturn in 1997 to 2000. This is of significant concern considering Queensland already has the equal lowest fees in Australia, averaging around $62 per day, compared to an estimated $77 per day to meet the proposed national standards. However, it is noted that some centres in regional Queensland currently charge fees in the range of $90 to $100 per day.

Childcare Queensland raised concerns on the effect these changes may have on disadvantaged children. Members indicated that children from disadvantaged and low socioeconomic backgrounds are less likely to attend any early childhood programs, including kindergarten. Increased costs of early childhood education and care services will place them further out of reach. Additionally, children with high support needs—and this was also raised by the honourable member for Moggill—present an impost on services because Australian government funding for those children is $12 per hour less than the current wage rate for specialised assistance. Many centres are weighing up the cost of these children, along with the additional strain on staffing costs presented by the national reform.

Furthermore, reduced staff-child ratios under the national laws will undoubtedly increase costs. For kindergarten and long day care, the following staff-child ratios will apply in Queensland under the national regulations: birth to 12 months, one staff to four children to be implemented by 1 January 2012; 25 to 35 months, one staff to five children to be implemented by 1 January 2016; 36 months to school age, one staff to 11 children to be implemented by 1 January 2016.

Staff training is another big issue, and there are wider concerns that the industry is simply not ready for these changes to commence on 1 January 2012. Indeed Childcare Queensland referred to a recent national survey in their submission that revealed that 83.5 per cent of services are not prepared to implement the national law and the onerous national regulations. A number of submissions raised concerns about the ability of the industry to attract the additional qualified staff that the legislation would require, particularly in remote areas. The new standards will require four-year trained early childhood teachers in all long-day-care and kindergarten services by 2014. Currently in Queensland, most child-care workers have a TAFE certificate or a diploma rather than a four-year university degree. Queensland will need approximately 700 to 1,000 additional early childhood teachers by 2014 in order to meet the teacher requirements of these reforms.

During the public hearing, the CEO of Childcare Queensland stated there is a 'huge demand for early childhood teachers to meet the current kindergarten rollout', which will increase as the requirements of the new national reforms come into force. The Department of Education and Training in response did outline the measures the Queensland government is taking to attract numbers to this area of the workforce, including funding, scholarships and financial incentives. The department also advised that the ability of this sector to meet the workforce changes presented in the NQF will be reassessed nationally in 2013.

However, the Productivity Commission spells out a different picture in its draft report on the early childhood development workforce released on 30 June 2011. The report states that Queensland needs to make substantial progress in order to meet the national standards and implement universal access. It further states—

While Queensland has the highest percentage of qualified workers in the relevant services, it has the lowest preschool attendance rate of all jurisdictions at 32 per cent and will therefore need to substantially increase the number of early childhood teachers.

In their submission, the Independent Education Union Australia—Queensland and Northern Territory Branch recommended qualified and registered teachers under the current situation be allowed to continue to work in the sector after the introduction of the national laws. Rather than being made redundant, they would leave in due course through natural attrition. The union argues this would be preferable to losing the valuable experience many of these staff bring to the child-care sector and it would reduce the demand to adequately staff the sector.

Issues around pay conditions for sector workers were also raised during the public hearings. Currently, the system faces incomparable pay rates for long-day-care services and early childhood education in primary schools. According to figures in the Productivity Commission's report, the average annual wage of four-year qualified early childhood teachers employed in the state school system in Queensland is $56,900 to $81,372 with 10 to 12 weeks holiday per year. In long-day-care centres, the award for four-year qualified teachers is only $43,220 to $57,044 with four weeks holiday per year. The Productivity Commission report revealed that early childhood teachers in the Queensland school system or in kindergartens may get paid comparatively well, but those in long-day-care services have lower wages and poorer working conditions. As such, long-day-care centres have persistently reported difficulty recruiting early childhood teachers.

The shadow minister has previously stated his concerns that universal access will struggle to work if these pay rates are not brought into line. The industry simply will not be able to attract and retain the numbers needed to staff the demand. However, if long-day-care sector workers were to be brought in line with early childhood teachers—that is, by getting 10 to 12 weeks holiday a year—Childcare Queensland does not believe it could work. Long-day-care centres are open 52 weeks of the year, unlike schools. The cost impact would be huge.

At the public hearing the CEO of Childcare Queensland, Gwynn Bridge, said—

... we will have difficulty getting our early childhood teachers, and in some rural and remote areas they will have trouble getting their qualifications as well. Under the new national quality framework we can apply for a waiver for 12 months and the most we can get on the staffing is two years.

Under the national regulations, temporary or permanent waivers may be obtained if a service is unable to meet national standards due to an inability to obtain suitably qualified staff. As mentioned, the industry has indicated that conforming to staff requirements will be difficult, with a high number of positions already vacant and a lack of qualified staff to fill them. It is anticipated that a large number of such waivers will be required when the qualification provisions commence. Childcare Queensland is concerned that no matter how wonderful a centre is, the waiver will carry with it a perception that the service cannot reach national quality standard, which may affect a centre's ability to attract parents. This is considered to be highly disadvantageous to the sector Australia-wide.

Provisions surrounding the proposed rating system also attracted concerns from the industry. From 2012 under this legislation, early childhood education and care services will be publicly rated on a five-point scale, which is to be prescribed under the national regulations. The aim—which is a noble aim—of this assessment and rating process is for service providers to strive towards quality improvement of their services. The Queensland Council of Parents and Citizens Associations is concerned that many P&Cs that currently deliver a high-quality service will fall back to a lower rating with the introduction of the new quality rating system. It will be near impossible for P&Cs to attain high rankings with the proposed measures, given they are run by volunteers. Like the C&K Association, these concerns relate to the increased financial and legal knowledge required to meet the NQF.

Indeed, a local operator from my electorate also has concerns with the public rating approach. He believes it is unrealistic and unworkable for the government to legislate quality. He said that this is a top-down approach that will do nothing but attack the sector, instead of working with the sector in a ground-up approach to address the systematic issues in a progressive manner. This operator said that these reforms have been worrying from day one, with the government not listening to the industry over concerns about the realistic cost impact such reforms are going to have on families. He argued that there has been a total lack of proper planning and thought for the likely consequences of these measures. He commented that if the government is not going to provide proper and adequate compensation to families, they will not be able to afford child care as an option and we will see a rise in so-called 'backyard babysitting', where there are no quality controls at all.

In its submission to the committee, the Glennie School in Toowoomba raised a very serious issue with the regulations that potentially places child safety at risk. The provisions suggested that children would be able to leave the facility on their own with parental permission or have older siblings pick them up with parental permission.

The department provided the following response—

Feedback received from stakeholders in relation to the draft National Regulations released in March 2011 has resulted in some changes. For instance, the National Regulations will not specifically refer to children leaving a service with older siblings. The National Regulations will require that children may only leave the service's premises if they are given into the care of their parents, or someone authorised by the parents, or if they leave in accordance with written authorisation from the parents.

I hope that a practical interpretation of these regulations will ensure that no child's safety is put at risk, especially when we are talking about children as young as four or five and younger.

In conclusion, the LNP supports measures to improve quality control and provide the best services possible in early childhood education and care delivered by appropriately trained staff. However, there must be a concern for the cost impacts that such measures will have on families. We do not want to see parents forced out of the workforce or children denied the right to early education due to the unaffordable nature of child care or kindergarten.

The LNP will review the progress of upskilling the workforce and the government's proposed waiver system. At the end of the day, the question has to be asked: who is going to pay? Are some children going to be denied care because it is too expensive? It is a fundamental question that the Labor government has continued to ignore to the detriment of Queensland families and child-care operators. I therefore urge the minister to consider the amendment moved by the shadow minister.

Mrs SCOTT (Woodridge—ALP) (4.20 pm): The Education and Care Services National Law (Queensland) Bill 2011 is a bill of vital importance to build a national platform of early childhood education that is accessible to many more of our young children in a more focused way with national guidelines. It is widely recognised that the early years of a child's life are the years in which the important framework is laid down that will affect the health, learning, behaviour, confidence and many of the ingredients that will greatly affect their wellbeing right throughout life. While we as a government are well on our way to delivering the 240 new kindergartens that were promised throughout the state, the formation of a national quality framework for early childhood education will bring consistency through the National Partnership Agreement on the National Quality Agenda for Early Childhood Education and Care. The Victorian parliament, in consultation with other states, developed the legislation, which was passed into law in October 2010 resulting in the bill before this House today. National regulations will then be tabled in all jurisdictions relating to staff-child ratios, quality standards and fees.

As the member for Woodridge, I serve a community of great diversity. There is diversity in our migrant and refugee community, thus language issues—many Aboriginal and Torres Strait Islander families, Pacific Islanders and families from all socioeconomic levels, but families who may not have had opportunities that we may take for granted. Quite clearly, early childhood education is key to ensuring, as our youngsters enter their prep year, that they do so ready to learn with good language development. Engagement with parents is also an important ingredient and much is happening in my local area.

The framework of early childhood education will govern kindergartens, long-day-care services, pre-prep and outside school hours care, thus covering 95 per cent of services, but not occasional and limited care services, nannies, babysitters and the like. Licensing will still be carried out by the state, but accreditation will be undertaken by the Commonwealth. Parents will have access to information on

services so that they are able to choose the best available service for their child. An approved provider of services will have no limit on the number of services they operate. However, each service must be granted approval. Those already operating will continue to do so without further application under the national quality framework and, of course, Queensland's blue card system will apply.

As the Industry, Education, Training and Industrial Relations Committee reviewed this bill, it was clear that there would be issues with some services that would find it difficult to comply either in the time required or even at all. We discussed the difficulty of finding adequate suitably trained teachers in rural areas and issues of staffing levels when illness or accident may occur to a staff member. A waiver is thus in place and a service provider cannot be prosecuted under such circumstances.

There was also discussion on the level of fees. I wish to congratulate this government on introducing extra fee help for families holding healthcare cards. However, I am pleased to note that there will be delays in certain requirements to assist families and service providers. The staff-child ratio requirement will now be delayed to 2016 and existing services will be able to use staff rest breaks as normal and rest pause arrangements until 2020. In addition, all services licensed prior to 2011 will be able to continue with a ratio of one staff to five children aged between 15 months and 35 months until 2018. Our government is also assisting child-care workers to upgrade their skills and qualifications. We are doing all we can to both bring this industry into line with the national law and to offer the best of early childhood education to as many families as possible.

I am very grateful for the additional funding that has been offered to the Woodridge electorate for early childhood education. Crestmead State School now has over 1,000 students. It was the first of the schools in my electorate to have a kindy built on site and it is operating very successfully. By the start of the new year in 2012, both Kingston and Woodridge North state schools will also have their kindies in operation. I was at Woodridge North State School last week and their building is coming along well. They have three playgroups meeting at the school. So this kindy will be a welcome addition to their program. Woodridge North State School has had a very innovative Indigenous early childhood centre for some years and I have spoken of the success of that program in an earlier speech. All of the students at the primary school who have come through that Indigenous program are now well above the national benchmark in literacy and numeracy, demonstrating the huge benefit that we expect to see in years to come.

A little over a week ago I attended a national conference, which was devised and held in Logan City over two days, discussing building a child-friendly community. It was a wonderful forum, where keynote speakers and group discussion was directed to discover collaborative ways to work together to create a place where children can grow in a nurturing, supportive environment to reach their full potential. I hope to outline some of those thoughts presented in this conference in greater detail in a further speech.

Children are precious and the future of our nation depends on how we support and nurture them and educate them to be our leaders of the future, our workers, our employers, our scientists, our innovators, our teachers, our health workers and, most importantly, our parents of the future. I thank our parliamentary committee staff for their assistance, chairman Kerry Shine and those who attended to brief our committee, including Julie Grantham, the director-general of the department of education. I thank also the minister and his staff. I commend the bill to the House.

Ms JOHNSTONE (Townsville—ALP) (4.28 pm): I rise to speak in support of the Education and Care Services National Law (Queensland) Bill 2001. This bill will implement the national quality framework for the early childhood education and care sector, which will see the introduction of new quality standards with public ratings to provide parents and the community with more information about the services that are available to them. The standards include more educators to educate and care for our children and enhanced educator qualification requirements. These changes will be implemented gradually from 2012 to 2020. Of particular note is the requirement for long-day-care and kindergarten services to engage an early childhood teacher from 2014. In addition, all family day-care educators will require a minimum certificate III level qualification from 2014 onwards.

In Queensland, we are working from a strong base to achieve these new qualification requirements, with much of the early childhood sector already holding a qualification. However, there will be some impacts and it is estimated that Queensland will require up to an additional 1,000 early childhood teachers and over 2,000 other qualified educators when the improved educator-child ratio requirements commence in 2016.

In response, the Queensland government has developed a comprehensive plan, worth more than $76 million, to support the early childhood sector to attract, retain and upskill the qualified workforce required to meet these reforms. Under the workforce action plan 2011-2014 we will deliver in excess of $20 million per year in vocational education and training programs. In addition, we will boost the supply of early childhood teachers through scholarships to support the current workforce to upgrade their qualifications and provide incentive payments to attract and retain early childhood teachers in rural and

remote services. The plan also includes a range of commitments to support professional development and leadership programs to enhance the capabilities of our early childhood educators. Workplace impacts will largely not be felt until 2014 and 2016. In addition, educator qualification requirements and ratios under the national quality framework will be subject to review in 2013, 2014 and 2019.

I have chosen to focus on this aspect of the bill today because I am a mother of young children who have recently come through the child-care sector. I have had my children in both family-day-care schemes and child-care centres. One of the issues parents face when choosing child care for their little ones is how they get the best care and education for those little people before they get to school. We have to get the balance right. We know that our little children need to be nurtured in a loving way in a play based environment, but parents also expect that the centres and the facilities their children go into are of a certain standard and are challenging our children and stimulating their small brains as they develop in an age-appropriate way. With those few words, I commend the bill to the House.

Ms SIMPSON (Maroochydore—LNP) (4.31 pm): In rising to address the Education and Care Services National Law (Queensland) Bill, I acknowledge the importance of having standards that protect our children in these settings and ensure they do have a fun and educational experience. One of the concerns raised in regard to the transition to these new standards is about the current state of the industry and the difficulty faced by particular Queensland child-care centres, which have operated under a very different regulatory regime from those in other parts of Australia. Moving to these new national standards has to take into account the way Queensland has been operating and the fact that the changes will have a significant impact on child-care providers and the parents who rely upon these providers in terms of the time frame that has been outlined in the bill before us.

We do support there being appropriate levels of staffing to look after children. What has been proposed by my colleague the shadow minister for education and member for Moggill is a delay in the transition to ensure the industry can actually make the transition, so that we do not see centres unnecessarily closed and more parents exiting the regulated sector and taking up informal care because they cannot afford it or because their local child-care provider has in fact closed down. Unfortunately, there are warning signs of this at the moment. We are already seeing a number of centres struggling.

Childcare Queensland surveyed their members about the timing proposed for the transition, and the results indicate an estimated loss of six places per day, or 30 places per week, per centre. For the sector, that is an estimated loss of licence capacity of about 1,400 long-day-care centres representing 42,000 places per week. They say that this will in turn cause banks to call for valuations as the value of services falls below borrowing ratios and that, to ensure viability, the cost of these licence losses will be passed on to families in the form of increased fees.

We have heard the government estimate that the fee increases will be about $6 a day, but that is not what industry is saying. We have heard from industry that the costs in real terms will be $13 to $15 per day, or an extra $3,500 per year, for some families. Others have estimated even higher amounts of up to $25 a day. We have to listen to these concerns rather than dismiss them because, at the end of the day, we want safe, affordable and accessible child care. The warning signs are that the way the transition is being proposed by the government will in fact see unaffordable child care and more people either exiting regulated child care or choosing not to go back into the workforce. That is a major concern.

We have been talking about the cost burden for parents, but there is also an increasing cost burden on our community brought about by the way this government goes about regulation and red tape. The proposed new act and the regulations before the House will add an extra 265 pages of red tape. You have to question why this government is so in love with the red-tape solution. We believe that it is appropriate that people work with industry and with parents to ensure that the most cost-effective quality care is provided in our community and that the very valid concerns that have been raised are taken into account.

Earlier I mentioned that the Queensland sector had been regulated in a different way from sectors in other states. The Queensland system in relation to controlling the size of rooms in which children were looked after was different. Other states did not have a control over the size of the rooms. In Queensland there was a ratio control on the number of staff to children and a control on the size of the room that provided an extra constraint. Those physical structures just do not change overnight. We are hearing that, therefore, in Queensland there will be a significantly disproportionate burden placed on the centres, and the parents in turn through extra costs, because you just cannot bulldoze and rebuild those centres.

Centres are constrained with regard to these new regulations, which will have a huge impact. As I understand it, for example, for babies and toddlers the current regime in Queensland is for a ratio of two staff to eight children and that the size of the room in which the children are looked after is limited to hold those eight children. With the new regime that is proposed, there is a ratio for babies and toddlers of one staff member to three children. Of course, you do not have one staff member in there on their own with the children. So it is not simply a case of Queensland being able to improve the ratio without changing

the size of the rooms. For example, they will not be able to move straight to a ratio of three staff members to nine children because the room size in Queensland for babies and toddlers restricts them to caring for eight children. That is where we start to see some of the practical difficulties in the implementation and why the costs will be disproportionately higher in Queensland.

We are hearing that a struggling sector will see more child-care services close. We are hearing that potentially more families will move into unregulated care. This is of major concern. Members of Childcare Queensland have also indicated that they are experiencing the lowest utilisation rates since the devastating downturn of 1997-2000. They say that operators are reporting closing rooms on some if not all days. There are utilisation rates of less than 50 per cent, and concern is high as to how centres are going to survive.

I support my colleague the member for Moggill in his call for a family impact statement and I support the proposed amendment so that we are able to see support for sustainable, quality child care in Queensland that also addresses the affordability issues for parents, who are trying to do their best to look after their children.

As has been noted, the Australian government has also changed the way it provides the child-care rebate, and this has had a huge additional negative impact on families seeking that important support in order to access the workforce. Childcare Queensland say that the Australian government has displayed an absolute lack of concern for the viability of families in the workforce by reducing the child-care rebate from $8,100 to $7,500 and placing a freeze on indexation of this amount for four years. Let us listen to the parents and the child-care providers as they seek to provide the best care to children. I support the proposals of my colleague the member for Moggill.

Mrs CUNNINGHAM (Gladstone—Ind) (4.39 pm): I rise to speak to this bill. In so doing, I put on the record my appreciation and that of the community that I represent for the many organisations, both government provided and privately provided, that offer child care, kindy and day care to the residents in my community. We are a relatively young community and, therefore, the demand for those places is high. In particular, in the past couple of years it has been a great frustration for many parents who, because of the economy, both need to work to cover mortgage payments, high rental costs and cost-of-living increases, that they have not been able to find child-care places. Indeed, all of our day-care services, the after school-care services, the long-day-care centres—I think we only have one of those—the kindies and the preschools are booked out and we have significant waiting lists. Kindies are to start at Kin Kora State School and Tannum Sands State School and I thank the minister for those. I am sure they will be quickly filled, once they commence operation. However, in the electorate of Gladstone the need for more child-care placements has been clearly demonstrated. It is on that basis I raise a few concerns.

Whilst the principles within the bill are laudable, there will be some very practical repercussions from the introduction of some of the new and higher standards. I do not think there would be a single person in the chamber or in the community who would disagree with providing our young people, our little children, with high-quality care and early educational opportunities. Little ones respond very well to intellectual and physical stimulation, both in play and in early academic work, which they receive at many of our early childhood centres. However, it has to be achievable and it has to be accessible. Many families struggle with affordability when it comes to child care, although there are some very good subsidies in place. It would be a shame to see families further disadvantaged if the price and the cost of child care increases exponentially.

I have a couple of questions for the minister. I note that through the bill a number of changes will be brought into place over a staged period. In his second reading speech the minister stated, 'In 2009 and 2010 Queensland negotiated some flexibility to ensure that the right balance was achieved in the national law between increased quality and affordability for parents...' and three areas were designated. The first was delaying the staff-child ratio improvements until 2016. I note that the opposition will move that that be extended to 2020. I believe that delaying it until 2016—in five years—is a good start, but I believe it would need to be reviewed if finding qualified staff proves difficult. In my electorate, filling positions that offer modest or low incomes—and I am not saying that child care is a low income, but certainly it is a modest income—is becoming increasingly difficult because the costs of basics are so high. For example, a week's rent can be the same as a week's wage. Rent of $600 to $650 a week is almost the average.

The second point that was negotiated is allowing existing services to continue to use staff rest breaks and rest pause agreements until 2020. The third point is allowing services licensed prior to 2011 to continue to use a ratio of one-to-five for children aged 15 to 35 months until 2018. In his speech the minister states—

> The bulk of the cost impact to Queensland services is anticipated to occur in 2014 and 2016, when early childhood teachers will be required in all long-day-care and kindergarten services ...

I note that the shadow minister commented that if it is a four-year course, 2014 is not achievable in terms of the graduating class and the increased requirement for staff. That is a mathematical problem, clearly.

I seek clarification from the minister on this issue: when the prep classes were introduced into Queensland state schools and to other schools, we debated the ratios between teachers, teacher aides and student class numbers. The Queensland Teachers Union and others expressed grave concern that the ratio that was being required of them or being funded by government for them was so high that they were very concerned about the welfare of the children. We were talking about things such as little children coming into a class environment and if they needed to go for a comfort break during class time an adult needed to accompany them, at least in the formative few months whilst the children got used to where they were and where the facilities were and for the teachers responsible for them to have confidence in that cohort's ability to move backwards and forwards to the facilities that they had to access.

The point that I want to clarify is this: we are putting quite significant constraints and obligations on private providers, but we do not seem to be putting the same obligations on providers of child-care services or children's educational services if those services are funded by the state government. I am interested to see what the disparity is with the obligations that are going to be required by the Education and Care Services National Law (Queensland) Bill 2011 in comparison to the care requirements that are currently required by the Queensland government in things such as the prep year at state schools. If we have a double standard, it is quite understandable that providers in the private sector and the community based sector will feel aggrieved. I would be interested in the minister's comments on that point.

It is important that we provide additional care. Sadly, for many the days are over when at least one parent could stay at home for their child's formative years, and I am not talking about maternity leave but about a more extended period. It is becoming more and more difficult for parents to take that time, which is now a luxury. Kids benefit from having mum or dad at home with them up until the school years. Sadly, the economy has made that more difficult. Therefore, when we provide an alternative it needs to be of a high quality. As I said earlier, I am certainly not suggesting that we have poor quality, but that we have equity in the obligations placed on state government and private providers. I look forward to the minister's response.

Ms van LITSENBURG (Redcliffe—ALP) (4.47 pm): I rise to support the Education and Care Services National Law (Queensland) Bill 2011. Children have a huge capacity to learn during the first five years of their lives, so it is important that we provide them with a rich learning environment that will enable them to develop the skills and concepts they need as a foundation to the more formal skills they will need to learn when they start school. Therefore, it is critical that early childhood education and care programs are of the highest quality. Currently, quality standards across early childhood education and care services vary throughout Australia and often there is limited information available to help families choose the best service for their children.

The national law, developed in collaboration with all Australian governments, will be the mechanism used to ensure the nationally consistent implementation and application of the national quality framework. The national law introduces a system to streamline the regulation of education and care services. For instance, approvals will be ongoing and will be recognised and accepted in all other states and territories. This contrasts with the licensing regime under the Child Care Act 2002, which requires services to renew their licence every three years and only recognises Queensland providers.

Further streamlining is to be found in the new assessment and rating process, which will be undertaken by the regulatory authorities in each state or territory. This replaces the accreditation process currently conducted by the National Childcare Accreditation Council, which is a Commonwealth body. This will reduce the regulatory burden as services will generally have only one level of government to deal with for both the assessment and rating process and the regulatory processes for the approvals and monitoring of services. The new assessment and rating processes will be more effective in driving improvement because they require providers to focus on achieving improved quality outcomes in the provision of education and care.

There will be incentives for services that are rated more highly than others because they will not need to be assessed as frequently. Services rated as exceeding the national quality standard may apply for the highest rating—excellent. If granted this, they would be recognised as outstanding providers of education and care. Bringing together regulatory and quality assurance processes will also promote consistency of standards across states and territories and across service types. This will assist Australian families who move between states or use different types of care—long-day-care, kindergartens, family care and outside school hours care.

There are some similarities between national law and Queensland's existing child-care legislation. For instance, Queensland's practice of publishing information about services that fail to comply with the legislation has been included in the national law. This will give families across the country more fulsome information about the degree to which education and care services comply with their legislative obligations.

The national quality framework will also provide families with information about a service's quality, allowing parents to make more informed decisions when choosing a service for their children. This information, including the assessment ratings of services, will be published online by the new national authority, the Australian Children's Education and Care Quality Authority, which will monitor the implementation of the national quality framework. The national authority will also determine qualification requirements for educators, including assessing equivalence of qualifications obtained in other states and territories.

The national law was developed in consultation with the community. The Commonwealth government released the Council of Australian Governments regulation impact statement from July to September in 2009 to seek community feedback on the potential cost impact of the national quality framework on services and families. Various mechanisms were also used to engage employer and union groups and academic representatives, including the national stakeholder reference group, the Queensland Legislative and National Implementation Reform Committee, the National Early Childhood Development forum and the community through public consultation sessions, focus group discussions, written submissions and online surveys.

The early childhood education and care sector has a bright future and so have our children. A high quality preparation for schooling and entering a dynamic and expanding Queensland workforce at the end of the education process is what our children can look forward to because of the provisions of this bill. I would like to thank the minister for ensuring that Queensland's previous safeguards were included in this bill and employers are not having to spend the money to relicence and reaccredit their facility that could be better spent on providing quality programs for our children. I commend this bill to the House.

Mr SHINE (Toowoomba North—ALP) (4.54 pm): I support the Education and Care Services National Law (Queensland) Bill. As chair of the Industry, Education, Training and Industrial Relations Committee, I tabled the committee's report on its examination of the bill on 31 October this year. This is the first bill that the committee has reported on under the new committee system. I hope members have had an opportunity to review our report.

At the outset I thank all of those who were instrumental in supporting the committee's examination of the bill. During the committee's consideration of the bill, committee members were briefed by, and able to ask a number of questions of, officers from the Department of Education and Training, or DET. The committee greatly appreciated the forthcoming and detailed manner in which the department responded. I thank the departmental officers for their assistance. The committee has recommended that the bill be passed. The bill seeks to apply the education and care services national law—the national law—which is set out in the schedule to the Education and Care Services National Law Act 2010 Victoria as a law of Queensland. It will also amend Queensland's Child Care Act 2002 so that it excludes services that will be covered by the national law.

The intent of the national law is to improve the quality of early childhood education and care services for all children in long day care, family day care, kindergarten, preschool and outside school hours care. This new national quality framework, which the national law governs, will provide for a national approach to the regulation, the assessment and quality improvement of early childhood education and care, and outside hours school care services. It will do this by creating a single uniform regulatory system which will replace the existing separate licensing and quality assurance processes in each state and territory and apply new quality standards to all services.

It is envisaged that the national quality framework will commence on 1 January next year. I believe that the move to a national system and the reforms that will occur as part of that will improve the quality of education and care services for all children, reduce the regulatory burden on services and provide parents with greater access to information about the quality of services. Obviously, uniformity will also greatly assist those who work in the industry who move from state to state.

In its inquiry into the bill, the committee received six submissions from stakeholders before holding a public hearing on the bill on 12 October this year. At the public hearing the committee heard from the Creche and Kindergarten Association, the Independent Education Union and Childcare Queensland. Submitters expressed broad support for the intent of the bill—that is, raising the quality of education and care services. Unsurprisingly, the submissions reflect the interest of the stakeholders who made them. For example, the private child-care industry was concerned about business viability because it will cost services more to employ the staff required to meet the higher staff-child ratios that will be required under the national law. Their peak body, Childcare Queensland, also expressed concerns about the consequent impacts on affordability for parents because service providers will pass on their cost increases to parents.

The Creche and Kindergarten Association, or C&K as we more commonly refer to it, while strongly supporting the intent of the bill on the national law, cautioned on the need to ensure that volunteer parent management committees, which are the norm in not-for-profit child-care services and which under the new regime would be required to fulfil many of the responsibilities of a service owner in

the private sector, were equipped to carry out those responsibilities. C&K also noted that their member organisations, consisting mainly of not-for-profit kindergartens as well as some long-day-care centres and outside school hours care services, were close to ready to go within the new framework. The committee noted that C&K itself could potentially provide some of the support to parent management groups that might be required, as C&K also suggested in its submission.

The committee heard from some submitters that, whilst supporting the reforms, they were concerned about costs that may have to be passed on to families to provide these improved services. After deliberation, the committee was satisfied that the legislation strikes the right balance between enhanced early childhood education, which all children deserve, and affordability for parents. We heard from DET that, to balance affordability for Queensland families, Queensland has negotiated some key concessions such as delayed implementation of the improved educator-child ratios to 2016 and allowing services licensed prior to 2011 to continue to use a ratio of one to five children aged 15 to 35 months until 2018. It is expected that some cost increases will occur in 2014 when early childhood teachers will be required in all long-day-care and kindergarten services, and in 2016 and 2018 when improved educator-child ratios commence.

Queensland is already in the process of rolling out an initiative to provide four-year-old children with 15 hours per week of preschool education delivered by an early childhood teacher. Through this initiative, the Queensland government is also undertaking measures to minimise the impact of the reforms on affordability. For many centres the cost of employing early childhood personnel is already being offset by the Queensland government through its provision of funding to enable long-day-care services to employ a qualified teacher so that those services will be ahead of the game. The moves to ensure ongoing affordability will, in my view, also address the business viability concerns raised by some industry representatives. I also believe that market forces will provide a firm incentive for child-care service providers to ensure they offer quality services. The resulting increased service use supports ongoing business viability.

Some submissions raised concerns about the availability of early childhood qualified teachers as will be required under the new quality standard. In July 2011, the Queensland government announced a $76 million ECEC Workforce Action Plan 2011-2014, which is specifically targeted at introducing initiatives to help meet the current and future demand for early childhood teachers. I note that kindergartens and long-day-care centres in rural and remote areas may have particular difficulty attracting early childhood teachers, which is why the Queensland government's Workforce Action Plan has initiatives specifically aimed at rural and remote areas. These initiatives include financial incentives to encourage qualified teachers to relocate to work in rural and remote areas, like Mount Isa, and financial incentives for preservice teachers to undertake practicum in rural and remote areas.

I am advised by DET that the ability of the sector to meet the workforce changes presented in the national quality framework will be reassessed nationally in 2013. I am satisfied that what can be done is being done to ensure that Queensland will be ready to meet the increased demand for early childhood care teachers that will result from ensuring greater access for Queensland children to early childhood teachers.

Concerns were expressed by some submitters including Childcare Queensland, which represents the long-day-care industry, about there being insufficient time to implement the new national quality framework, with its extensive regulatory scheme, by 1 January 2012. The committee has heard that, to assist existing service providers to transition to the national quality framework, the national law contains transitional arrangements to ensure that existing service providers will be automatically approved to operate as approved providers under the national quality framework. Further, to give providers time to become familiar with the national quality standards, the quality assessment and rating of their services will not commence until June 2012. The granting of national approved provider status will eliminate the need for providers to obtain separate provider approval for each state in which they intend to operate, which should reduce the regulatory burden for providers.

The committee's report raises an issue relating to the scrutiny of future amendments to the national law. The bill makes provision for the tabling of regulations in the House, but no such clause exists in respect of amendments to the national law. Accordingly, the committee has recommended that a clause be inserted in the bill to provide that the member of the relevant ministerial council representing Queensland is to make arrangements for the tabling of any amendment to the national law in the Queensland house of parliament.

Finally, the committee noted in its report that neither the law to be adopted as the law of Queensland nor the National Partnership Agreement on the National Quality Agenda for Early Quality Education and Care were tabled at the time the bill was tabled. Accordingly, the committee invited the minister to table a copy of the national law and the national partnership agreement at the second reading of the bill.

In its report the committee stated that it believes that the national law should be tabled with the bill as a matter of course and that the national partnership agreement should be tabled because the bill intends to give effect to Queensland's commitment under this agreement. This issue applies more broadly to any national scheme legislation and not just to this bill or to this portfolio. I refer to the advice of the Legal Affairs, Police, Corrective Services and Emergency Services Committee in its report No. 4 into the Business Names (Commonwealth Powers) Bill 2011. It states—

The committee strongly encourages the Government to ensure that the text of accompanying legislation is tabled at the time of introduction of future proposed national scheme legislation.

Further, with an increasing focus on nationally uniform policy reforms, the committee strongly encourages the Government to table intergovernmental agreements, at the latest, when a Bill to implement the agreed policy reform is introduced into the Legislative Assembly.

I refer also to the letter from the Committee of the Legislative Assembly sent to all portfolio committee chairs on 10 November 2011 enclosing a copy of the government's response to that legal affairs committee report. In the letter the government acknowledged that the tabling of the intergovernmental agreement would provide committees with valuable context when considering bills of this nature and indicated that it would consider the matter further.

I thank the minister for tabling the national law and the national partnership agreement in his second reading speech. I thank the research officers and support staff of the committee. I would like to place on record my thanks to my fellow committee members for the constructive manner in which they carried out their duties with respect to this inquiry, as they have done since the inauguration of the committee. I have pleasure in commending the bill to the House.

Mr POWELL (Glass House—LNP) (5.07 pm): I rise to speak on the Education and Care Services National Law (Queensland) Bill 2011. As speakers before me have outlined, the principal objectives of this bill are, firstly, to apply the education and care services national law—which from here on will be called the national law—set out in the schedule to the Education and Care Services National Law Act 2010 of Victoria as a law of Queensland; secondly, to amend the Child Care Act 2010 so that it no longer applies to the early childhood education and care services that will be covered by the national law; and, thirdly, to make consequential amendments to other legislation.

I and the LNP certainly support the best possible start for all Queensland children when it comes to their education and to their care. Certainly I have that in mind for my own children, and I would hope that parents across the state do. I believe and accept that a lot of this national law goes a long way to achieving that best standard across the state. My understanding is that the law will bring into effect a uniform national quality framework as well as a number of key features.

The national quality framework, as the shadow minister indicated, includes the national law, the national regulations, the national quality standard and the prescribed rating system. It aims to provide a national approach to the regulation, assessment and quality improvement of early childhood education and care and outside hours school care. It aims to do that by creating a single system to replace existing separate licensing and quality assurance processes in each jurisdiction of a preschool—that is, kindergartens in Queensland—long day care, family day care and outside school hours care. It also aims to institute a new national quality assessment and public rating system. It gives primary responsibility for approval, monitoring and quality assessment of services to state and territory authorities, and it establishes the Australian Children's Education and Care Quality Authority to oversee the framework.

Other features of the law include a perpetual service and provider approval system, which replaces Queensland's existing three-year licensing scheme, assessment of providers and supervisors of education and child-care services, aligning management and oversight responsibilities, the ability to grant temporary and permanent waivers to ensure adequate flexibility, and the power to publish information including noncompliance information and each service's rating level.

As with any legislation—and I heard the shadow minister go into some detail on this—particularly legislation that is national legislation where we are assigning Queensland state responsibilities to a national law, there are always going to be concerns. The shadow minister did a stirling job of highlighting the concerns of the LNP, the concerns of the Child Care National Association and those concerns that have been identified by the department itself.

I think the two main concerns relate to cost of living. The department in its information for families has identified this cost impost for families. At a time when families can least afford it, when there are cost-of-living increases across-the-board, this will be another slug on families. We know the federal child-care benefit and the child-care rebate may cover half of these costs, but the increase for families especially with two or more children will significantly impact upon those families in very uncertain times.

Furthermore, the coalition's review of the 2009 forecast for the COAG changes indicates most of the cost increases will impact in Queensland as early as 2015. The second big issue other than the cost-of-living increases is the potential shortage of staff. It is interesting that the Australian government's Productivity Commission has already commented upon the shortage of qualified staff needed to meet this initiative. It has said that the government's timetable is optimistic, and I quote—

- The supply of suitably qualified workers is likely to take some time to respond, and exemptions from the new standards (waivers) will be required. Government timelines for reform appear optimistic.

That is taken from the Australian government's Productivity Commission draft report overview of 30 June 2011. As I said, though, there are a lot of positives in this bill, and I look forward to hearing the debate and the consideration in detail. I do acknowledge the work undertaken by the committee in preparing its report and the information that the members of that committee have shared this afternoon.

In summing up, I will turn to a related matter and raise with the minister my concern that we have missed yet another opportunity to address an ongoing issue for a number of schools in the state around this child-care legislation. I have raised this issue before in this House and I know other members have as well, and that is there are a group of schools, albeit independent schools mainly, Montessori schools and Steiner schools, in particular, that are looking for a change in the legislation to allow them to take 3½-year-olds. Currently any child under four has to be educated or cared for under child-care legislation. Unfortunately, that then precludes schools who offer pre-prep programs. In the case of Montessori and Steiner, as the minister may well be aware, they commence their cycle 1 or can commence their cycle 1 at the age of 3½. No-one is saying, and certainly not the schools in question, that they should include children who are incapable of meeting certain standards in an educational environment, in a school environment, as opposed to a child-care environment. So we are talking about things like toilet training and a level of independence. The schools have very strict guidelines and policies around which children would be acceptable at 3½.

Montessori schools, in particular, have a very well established curriculum that includes elements in four main areas such as practical life, sensorial, language and mathematics. Considerable emphasis is also placed on creative arts, music, science, geography and cultural studies, and the acquisition of one's own first culture as the child's central development drive in this first cycle of development. A lot of those things are already being picked up in child care now as we move our education further down the age bracket. What we are achieving under child-care legislation we are not allowing under education legislation.

I think the frustration that a lot of these schools are having is that there is a function example within another jurisdiction—namely, the Western Australian jurisdiction—where such legislative approval would be given to schools like Caboolture Montessori School to undertake cycle 1 education of 3½-year-olds. This was first brought to the attention of former minister Welford when he was the minister for education. I brought it to the attention of Minister Wilson when he was the minister for education in 2009. I now bring it to the current minister's attention and hope that we do not waste another opportunity like we appear to have now to address this. For the minister's information, the legislation in Western Australia is called the Western Australian Children and Community Services Act 2004. The particular clause in that act that is relevant in this matter talks about the meaning of a child-care service. It states—

(1) A 'child care service' is a service for the casual, part-time or day-to-day care of a child or children under 13 years of age, or such other age as may be prescribed for the purposes of this subsection, that is provided—

(a) for payment or reward. Whether directly or indirectly through payment or reward for some other service;

(b) as a benefit of employment, or

(c) as an ancillary service to a commercial or recreational activity.

It goes on to state that the term 'child-care service' does not include specifically under subsection (e)—

care provided to a child enrolled at a school if

(i) the child has reached 3 years of age; and

(ii) the care is provided in the course of the child's participation in an educational programme and the School Education Act 1999.

When former minister Welford was presented with this information, we were told the time was not right. When Minister Wilson was presented with this information, we were again told the time was not right. As we move into this national law era, my understanding would be that the time is perfect for us to address this issue. If it is working and working well in Western Australia, then surely it can work here in Queensland. If the minister does not address this in his summing-up, perhaps in further discussions at a later date I am happy to bring down representatives of Caboolture Montessori School and other Montessori, Steiner and independent schools. This applies to Nambour Christian College and other colleges that have pre-prep programs that are now having to meet the significant requirements under

the Child Care Act. I would be pleased to meet with the minister on this matter. Hopefully we can address it sooner than later. It seems to be a glitch that continues to hang on, and I think there is a viable solution to it.

Mr JOHNSON (Gregory—LNP) (5.17 pm): In rising to speak to the Education and Care Services National Law (Queensland) Bill 2011, I will direct my comments to the area of remote early childhood education. In the minister's introductory speech he states—

> It establishes a new nationally consistent set of quality standards for all kindergartens, long-day-care centres, family day care, outside school hours care and pre-prep services that all states and territories are committed to delivering.

That is all very good in areas of high-density population and in areas where you do not have the tyranny of distance or the difficulties of attracting qualified professional staff to be the administrators and the operatives of these types of facilities. The new early childhood education and care legislative framework will provide Queensland parents with early childhood education and care services which are consistent with their current choices of service. Many people in rural and regional Queensland do not have these choices so these children who fall under this blanket are disadvantaged before they start. That is something I hope the minister might comment on in his summing-up to this very important piece of legislation that we are debating here today.

What disturbs me is that the template for this legislation was created from the Victorian model. I stand corrected if this is not right. If we look at Victoria as a state, it is not a decentralised state. It is a highly populated state with many regional cities and large country towns. Distance is not a real issue in Victoria and I do not think we can use that example to pass that Victorian model onto Queensland. When I look at my electorate of Gregory and places where we do have a population that is trying to take off but there are impediments, and I will use the example of Springsure—

Mr Dick: It is bigger than Victoria.

Mr JOHNSON: I will take that interjection from the honourable minister. It is twice as big as Victoria but it has got better people than Victoria and better productivity than Victoria.

Dr Flegg: And a better local member.

Mr JOHNSON: Thank you. I will take that interjection from the honourable shadow minister because they still love me, or I think they do—I will test them soon. I love them too but, most importantly, I love the kids in my electorate. This is about educating our kids and it is about giving those kids—whether they live in remote areas or the larger centres in my electorate or any other rural and regional town in Queensland—the opportunity for that early childhood care. This is a very important thing when we talk about early childhood. These are the formative years of a child. From the day a child is born, it starts to grow and learn and it learns to crawl and walk. I will contradict anyone who says that these centres are detrimental to children because I have seen some magnificent centres in my own electorate where these children are looked after properly and are given an opportunity to progress under their own power and steam. They are great centres.

In Barcaldine in my own electorate, we have been fighting for a long time because a lot of parents there have been looking for a long-day-care centre. I spoke to one of those young mothers this afternoon, and I am hoping we might be able to have a deputation with the minister and his department very shortly to discuss the issues in Barcaldine. The department of main roads has a base in Barcaldine which draws a lot of professional people, and a lot of the partners of those people are professionals but they find they cannot access care and they have to stay home and look after their children. I believe the people in that region—in places like Barcaldine, Blackall or anywhere else for that matter—are deprived of an opportunity to exercise their professional skills because there are no adequate child-care facilities. With the potential growth in places like Barcaldine and Blackall, I really believe we need a change in the policy and we need to see something fast-tracked in the immediate future.

I want to talk briefly about the aspects of the bill, and I know I only have a short time left. We find ourselves in a situation in Springsure, for example, where the creche and kindergarten could be wound back to half of its current operation. They need a full-time child-care worker to go into the school. I had a look there the other day with one of the mothers who is a teacher herself, and there could be opportunities to grow that business. There is certainly an opportunity for business to grow in Springsure with the boom in the mining industry, especially with the Rolleston mine a bit away to the south-east and the Minerva mine a bit away to the north-west. This is a very important industry and it is drawing professional people who want to reside in these places. They bring their partners and, as I said, a lot of those people are professionals too but there are no job opportunities because they have to stay home and look after their little ones. Again, we have the two-tier system of wages where a lot of these people cannot afford to live in these towns now because of the high cost of housing et cetera and the money is not there to pay child care and everything else.

There is the issue of qualified staff where staff need to have that four years of training. I know there is a waiver in place and I know there are also incentives for some of these people to go to the remote areas. I believe the regulations will deprive remote areas of getting those quality people because it is very difficult to get people to go and live in those places now.

By having a federal body approve and manage this process, I believe we are signing away our control and we will let the federal body be the dictators of what the agenda really is. As I said in the earlier part of my contribution, we cannot use Victoria as a template because it is not an accurate example of what we are subjected to and what we endure here in Queensland. I plead with the minister here today: it is very, very important that we have some concessions for the people in rural and remote areas to enable them to take advantage of these child-care facilities and to have those centres put in place so they are not deprived because of the recommendations that have been set down by the federal body in conjunction with the states.

In places like Springsure, we need that shared enrolment; it is still not funded. Bush kids will be deprived of this early childhood education and that interactivity in their formative growth years if we do not have it forthcoming. This bill will take control away from the state. That is my fear. We need to make certain there is an amendment put in there that will cover these less populated areas in decentralised Queensland.

There are many areas of concern and I had one mentioned to me the other day. We fight for what we have in rural and regional Queensland. It has been put to me by one of the parents that maybe the government is looking to close schools of distance education in Western Queensland or parts of Queensland and that some of those kids would be a part of the local school and be monitored by the local schools in some of those country towns. I hope that is not true because rural and remote education is as sacred as education anywhere else in this state. Whether a child lives in Birdsville, Boulia, Bamaga, Longreach, Barcaldine, Alpha, Mistake Creek or wherever, they are entitled to the education that this state can give them. Whilst I worry about this issue of the four-year trained teachers, I also worry that we will be downsized and we will have to fight to retain what we have got rather than fight to get what we do not have.

I said in my maiden speech in this place back in early 1990 that the most important thing is a quality education regardless of where we live. We are trying to get these children into child-care centres and give their mums and dads the opportunity of dual work. Children are entitled to quality child care, whether they live at Springsure, Barcaldine, Blackall, Quilpie or wherever else. I hope the minister shows some compassion and understanding of these issues I have addressed here this afternoon when he sums up in his speech in reply.

Ms GRACE (Brisbane Central—ALP) (5.27 pm): I rise to support the Education and Care Services National Law (Queensland) Bill 2011. The new law contributes to realising the Council of Australian Governments' vision that all children have the best start in life to create a better future for themselves and for the nation. I believe it continues to build on the great Labor initiative of this government which I think has been one of our best policy initiatives—that is, the introduction of prep into Queensland schools. That has been an outstanding success. Children and parents are literally supporting it with their feet. I have not come across any parent who has not had anything but praise for the prep year and the additional year that we now provide for our children. What can be more important than early childhood education for our kids? I just know how well my daughter thrived in her early childhood education. If other children thrive as much as she did, I know that this is a step definitely in the right direction.

The law includes improved requirements for educator qualifications and educator-child ratios to be introduced over the coming years which will result in better outcomes for Queensland children in education and care services. Under the law and regulations, education and care services will be required to develop programs based on approved learning frameworks—the Early Years Learning Framework and the Framework for School Age Care—which aim to extend and enrich children's learning from birth to five years through to the transition to school and in outside school hours care.

The regulations include the national quality standard, comprised of standards in seven quality areas that will serve as a benchmark for good practice based on contemporary research. Under the law and regulations, education and care services will be required to undergo self-assessment and develop quality improvement plans as part of a cycle of continuing improvement, which I believe is essential. The law and regulations bring together regulatory and quality assurance processes that will promote consistency of standards across states and territories and across service types, assisting Australian families who move between states or use different types of care—for example, long day care, kindergartens, family day care and outside school hours care.

So it provides consistency for families across Australia. But with any introduction of additional standards, it is always important to balance the cost versus the quality that we are implementing. I believe that this bill takes great steps towards achieving a balance between improving the education

and care outcomes for our children with affordability for Queensland families. There has been a number of ways Queensland has been able to secure this balance. I want to now spend a little bit of time going through the negotiated outcomes that will make the transition and the cost effectiveness of this program for Queensland so much more because of what we have been able to negotiate, through the minister's office, on behalf of Queenslanders.

Queensland has negotiated a number of key concessions to minimise the immediate cost impacts on services and families with the gradual implementation of many regulatory standards. The first substantial change for Queensland services under this legislation will not occur until 2014, when long-day-care and kindergarten services will be required to engage an early childhood teacher and family day care educators will be required to hold or be working towards a minimum certificate III qualification. The Queensland government's initiative to provide universal access to kindergarten will offset some of the impact of having to employ a teacher for those services that received funding through the Queensland Kindergarten Funding Scheme, which, I might add, is a fantastic scheme that is introducing many additional kindergarten services. Other staffing changes, including an increase in the educator-child ratio, may also increase costs for services. However, these changes will not impact on our Queensland services until 2016—more than ample time for people to prepare for those educator-child ratios. Qualifications and ratio requirements under the national quality framework will be subject to review in 2013, 2014 and 2019.

The Queensland government has also negotiated other measures to ease the transition for the sector. For example, services licensed before 1 January 2011 that can justify the use of a one to five ratio for children aged 15 months to 36 months will be able to continue to use that ratio until 31 December 2017. So they will have a good six years to implement these changes, thereby minimising cost impacts for these services. Services will also be able to continue current staffing arrangements, allowing fewer educators to care for children during specified rest periods and rest pauses under certain circumstances. Here is also a provision to allow a diploma qualified educator to backfill an early childhood teacher during short-term absences including annual leave, and I think that makes a lot of sense.

In addition, an educator who is actively working towards an improved early childhood teacher qualification now has until 1 January 2016 to meet the early childhood teacher requirements. These new legislative requirements are expected to have a minimal cost impact on community kindergarten services in Queensland due to current staffing level practices in this sector. I think that is important in any transition.

The national quality framework delivers a new integrated approach to the regulation and quality assessment of services. It will drive continuous improvement in the quality of education and care services across the country whilst ensuring that it achieves a balance with ongoing affordability for families in Queensland, which I believe this bill delivers in bucketloads. With those few words, I commend the bill to the House.

Ms FARMER (Bulimba—ALP) (5.33 pm): I rise to speak in support of the Education and Care Services National Law (Queensland) Bill 2011. From 12 January 2012, our National Quality Framework for Early Childhood Education and Care will introduce a new integrated national approach to the regulation and quality assessment processes for long day care, family day care, outside school hours care and kindergarten services. I am really delighted to be supporting this bill. It recognises the critical importance of the early childhood sector and the critical importance of getting it right for that sector. If we lay a solid foundation in the first years of a child's life then we are setting up that child for the best possible chances for their future. We know this intrinsically as parents and as members of our communities. However, it is also something that is incontrovertibly confirmed by national and international research.

I am also very happy that, with the introduction of a regulatory framework, the appropriate status is finally being afforded to the excellent child-care services and child-care workers who operate not just in my electorate of Bulimba but right across Queensland. There really is not much of a greater responsibility that we can confer to another person or organisation than to ask them to look after our children and I know that many of our local services are pleased that the raft of reforms that are being introduced at both state and national levels is a reflection of the fact that their contribution is being taken seriously.

Under the new national quality framework, child-care services will be assessed and rated against a new national quality standard. The standard identifies seven key areas that have been identified in the research as contributing to the quality of early childhood education and care. These areas are educational program and practice, children's health and safety, physical environment, staffing arrangements, relationships with children, collaborative partnerships with families and communities and leadership and service management. Services will be assessed and rated in each of these quality areas and an overall rating must be displayed by the service. The rating will also be published in the government's register of approved services, which will be available online.

The introduction of the new national quality standard will not only help services to provide the best possible level of early childhood education and care by being clear about the factors that best support a child's learning and development—and there surely cannot be many things more important than this—but also give families confidence in selecting the best possible education and care service for their children. I know this is going to be a boon for parents. Many of us in this House are parents and we have all wanted to do the best we possibly could for our children. However, I am sure that all of us have had feelings similar to those that my husband and I experienced when we were at that stage of our child's life—and I know we share this with many parents from my local community—of just never being totally sure that we were doing the right thing or that we were making the best informed decisions. This process will give confidence to all parents.

Another point that I would particularly like to make is about the transitional arrangements under the new framework, which will allow a planned and gradual increase in educator qualification requirements and in educator-children ratios, both of which will enhance learning and developmental outcomes for children. There has been much said about this today and, most certainly, there is a recognition by the government that it will be a challenge to make sure we have the workforce in place to support these arrangements. That is why this government has done something practical and something positive about this, because it is too important. Unfortunately—but of course—the shadow minister and his LNP colleagues did not mention any of these excellent initiatives that the government has put in place to support opportunities for individuals to upgrade their qualifications, including through the scholarship program, to encourage existing teachers to have their qualifications recognised and to put in place a targeted vocational education and training program.

There have also been some concerns expressed about potential cost impacts on services and families, which is why the government has negotiated quite strenuously to achieve outcomes such as delaying staff-child ratio improvements until 2016, allowing existing services to continue to use staff rest break and rest pause arrangements until 2020 and allowing services licensed prior to 2011 to continue to use a ratio of one to five for children aged 15 months to 35 months until 2018.

Keeping costs down in the early childhood sector is the reason the government is providing subsidies on kindergarten fees to families with healthcare cards. It is why we are listening on issues such as supporting kids with disabilities in the kindergarten sector. I thank the education minister for responding to my lobbying in that regard and providing an increase in funding of $500,000. These things may not matter to a lot of people, but they certainly matter to our kindergartens and kindergarten families, particularly to the families of children with disabilities in kindergartens.

I cannot talk to this bill without referring to the role of the limited hours child-care sector, which is not incorporated within the national quality framework and for which, unfortunately, the federal government cut funding this year. My local community is fortunate to have in its midst the most magnificent limited hours child-care service, the Hawthorne Limited Hours Early Childhood Centre, affectionately known to all as Malcolm Street. This centre is run by the wonderful Catherine Hardcastle and her dedicated staff and is an icon in my local area. I cannot begin to count the number of children who have used the service, the number of parents it has supported and the number of families who are in their second generation of attendance. The limited hours sector is crucial in any community. Many parents have no family support at all to help them look after their children when they have appointments, chores and many other duties to perform that can be quite difficult to carry out when you have small children with you. That is without even mentioning how important it is for parents just to have a break sometimes, because they need it.

Limited hours child care provides that short-term relief for parents, and I was bitterly disappointed that its role was not recognised by the federal government. I thank the minister again for his recognition of the issues I raised with him about this sector and for his subsequent support for the sector through the provision of short-term funding while we try to find longer term solutions for it.

I note that this same commitment has not been provided by LNP governments in other states. Who could forget the images of the teddy bears on the steps of Parliament House in Victoria when users and providers of occasional day care attempted to get the same commitment from that state government that has been provided in Queensland, to no avail? And I note that the LNP shadow minister here carefully avoided talking about provision of any support for that sector.

I have been really proud to talk to local families and child-care and family services about the Bligh Labor government's record in the early childhood sector and about how important it is that we give our kids a flying start in life—not only about the reforms we are rolling out under this new national framework but also about things like the introduction of prep and the 240 new kindergartens we are rolling out across the state so that we can make sure every child in Queensland has access to a solid foundation before they start school. We have benefited from that rollout in our local area with the new double-unit kindy that will open in Seven Hills in 2012. My phones have not been more busy than after I first wrote to families to let them know it would be happening, because it is what families want, it is what families need and it is what families think is a priority.

I have loved talking to people about the recognition by the government of the changing work patterns in young families for which long day care, rather than the traditional kindergarten hours, may be more suitable, with the result that families in long-day-care centres can now be supported to enrol in accredited kindy programs. I make particular mention of the excellent programs now being introduced at ABC Hawthorne and Murarrie, Mother Duck Cannon Hill, Tricia's Playschool, Avenues, Okeedokee, Seeds Early Learning Centre and Puss In Boots.

It has been tedious to hear the LNP talk about this important piece of legislation today—problems, problems and more problems. Name any aspect of the bill and they find problems: the sky will fall in, Armageddon, *High Noon,* the OK Corral—more problems. I am not sure I have heard any of the members opposite talk in any detail at all about how important it is to children and their families and to the child-care sector in general to know that there is a solid, evidence based, quality assured framework in place that will ensure our young children are encouraged, in the best possible way, to make the most of their lives and to be the best they can be. I have not heard them talk about what they would do if they were elected to shore up a solid foundation for our kids. This is not surprising when their leader, Campbell Newman, is someone with no record on social policy of any kind at all because he has been too preoccupied with building infrastructure that goes broke. Social policy is quite simply not a priority for them.

This bill is really important for my local families and for families right across Queensland. It is about what is best for our kids. It is about a positive plan for their future. I congratulate the minister and the department on their excellent work on this bill and on all of the early childhood sector reforms, and I commend the bill to the House.

Mr HORAN (Toowoomba South—LNP) (5.43 pm): It is indeed a pleasure to speak on the Education and Care Services National Law (Queensland) Bill, which is about the quality of care of young Queensland children, and also aspects of the costs and pragmatic issues that surround the pre-education stage of children's lives.

I would like to start by congratulating our shadow minister, who gave an intelligent, well-researched speech and showed a great degree of practicality about some of the issues here. Yes, we would all like to have outstandingly educated people to care for our children at this particular stage of their lives and, yes, we would like to have the very best of buildings, assets and so on, but there is also the matter of being able to afford the desires and vision of parents, government and the like. At the end of the day, parents do have to be able to afford this care. I think that is a very important thing to bear in mind.

The care of young children by long-day-care centres, kindergartens and so forth is an absolute necessity for many young families because they have to work. It is as important as water, electricity, rates and so on because people have to work to meet their financial commitments, and they have to be able to afford it. But they do it because that is what they want for their children.

At the outset I congratulate the operators and staff of education and care services in Toowoomba. The dedication of the staff and proprietors is quite amazing, and their commitment to the young ones in their charge is quite inspirational.

I want to say a few words about COAG, because it is through the COAG process that this legislation has come before us. I think we have to be increasingly careful about ministers from various states, including our own, going off to COAG and just accepting that because something is going to be done on a national basis it will necessarily be better. I think it is important that ministers and governments reflect on the states they represent. Queensland is the most decentralised and the largest properly decentralised state in the world. There is a whole range of major regional cities and smaller regional towns that we have to allow for, as well as our more densely populated areas. I think it is important that great care is taken and that COAG is not seen as a panacea. The individuality of this state and the ability of the people within this state should not be disregarded in, blindly at times, following a COAG direction. I think it is important that governments and ministers be aware of that.

I raise the issue of the education levels of staff. The ultimate aim is that each centre caring for young children has a person with an early education teaching degree, but it has to be remembered that what parents are looking for at this stage of their children's young lives is safety, happiness and care. We have to remember that these little ones are often not much older than a toddler, and they do need to have in their life a period of time where they can be kids—where they can be two-year-olds or three-year-olds and they can play, enjoy life and grow naturally—without having too much forced on them in the way of education and training. When they are 4½ they will be going to prep, and the long and increasingly difficult road of education and training will very soon be before them.

I think it is important to recognise that there are many, many people who can provide safety, security and care for young ones without necessarily being highly educated. It is important that they have a diploma. It is important that they have some level of training and skilling for their position, but many people, particularly women who have been mothers, just have a natural ability to provide safe care and teaching to little ones of that age.

As I said earlier, child care is an essential cost for many people. Whilst some people may wish to have careers and that is important to them or they may enjoy their particular work role, some people prefer to be at home with their children if they can afford it. My wife and I were lucky, because when our kids were small we had a dairy farm and the kids were with us. I look back on that time as being quite precious because we could spend so much time together, sitting on a tractor, sitting on a horse, helping to feed the calves. We did all those sorts of things. Later in the life, when you get busy, you may not have so much time to spend with your kids. For mothers and fathers, their children's early years are very precious and important if those kids are to grow up feeling confident and able to develop their own self-confidence and happiness.

When we look at these facilities and some of the standards that are going to be brought in regarding ratios of staff to the little children in their care, it is important to consider how difficult it is for some young people to pay for such care. Often we hear young mothers say that they go out to work but the vast bulk of what they earn goes to child care. We have to consider that. Changing the ratio of staff to children will not only bring about a major increase in the costs of the services but also necessitate a change to the asset. If you are working on a one-to-four ratio and you have to move to a one-to-three ratio that may mean the alteration of buildings, the alteration of rooms, the construction of additional rooms and facilities such as toilets et cetera. That will all add to the asset cost or the capital cost, in addition to the cost of staffing which is a very major cost. Therefore, the amendment put forward by the shadow minister is very worthy of consideration.

If we look at the last page of the minister's second reading speech, it is obvious that the government can see that very major and very difficult costs will be imposed on young families. In his second reading speech the minister states—

> This includes delaying staff-to-child ratio improvements until 2016, allowing for existing services to continue to use staff rest breaks and rest pause arrangements and for services licensed prior to 2011 to continue to use the ratio of one to five for children aged 15 to 35 months.

That will be delayed until 2018. However, in that period, we will not see any real change in the cost burdens on young families. Young families have to pay massive increases in rates because the government took away the headworks subsidies et cetera. It costs more to buy a house and land because of that. It costs more for petrol because of the petrol tax that the government brought in. It costs more for electricity, more for water and more for just about every fee and charge one can think of because the government has to find $600,000 an hour in interest to deal with its massive $85 billion debt. It is time to think about the young families and the necessity of providing not only aspirational levels of quality, staffing ratios, buildings et cetera but also affordable services. We want young families to enjoy their children, not to be so racked by the pain of payments and costs that they cannot enjoy the precious hours that they have with their young children.

Mr DICKSON (Buderim—LNP) (5.53 pm): I rise to make a short contribution to the debate on the Education and Care Services National Law (Queensland) Bill. In December 2009 COAG endorsed the National Partnership Agreement on the National Quality Agenda for Early Childhood Education and Care. I note from item 11 of that agreement that it commenced as soon as the Commonwealth and one other party signed the agreement and will expire on 30 June 2013, or earlier termination as agreed in writing by the parties. 30 June 2013 is a little over a year and a half away. The agreement also states that—

> The universal access commitment is that by 2013 every child will have access to a preschool program in the 12 months prior to full-time schooling. The preschool program is to be delivered by a four year university qualified early childhood teacher, in accordance with a national early years learning framework, for 15 hours a week, 40 weeks a year.

At this point, I feel it necessary to detail the agreement's interpretation of what constitutes 'universal access'. Within the agreement, universal access is interpreted as follows—

> Whereby every child, 12 months prior to full time schooling, has access to a preschool program delivered: By a four year university qualified early childhood teacher (subject to clause 17 below); in accordance with a national early years learning framework; for 15 hours a week, 40 weeks a year; across a diversity of settings; in a form that meets the needs of parents; and at a cost that does not present a barrier to participation.

The notes accompanying this bill state—

> Funding from the Australian Government under the National Partnership Agreement is not expected to fully meet the government's costs of implementing the National Quality Framework in Queensland. DET will draw on existing resources to reduce the cost of implementing the National Quality Framework in 2010-11 and 2011-12, and will absorb any recurrent shortfall in national funding from 2012-13.

Remembering that the COAG agreement tells us that the scheme must be 'at a cost that does not present a barrier to participation', page 37 of the Productivity Commission report states—

> ECEC fees are expected to increase as a result of implementing the NQA requirements, as well as ongoing cost rises. Services are expected to pass the increase in costs on to users in the form of higher fees ... The increase in fees may have substantial effects on disadvantaged families—

And we need to remember that point—

—who may benefit most from ECEC, but are also most likely to withdraw their children from ECEC services as a result of fee increases.

The LNP undertook extensive consultation with the education and child-care industry. All the stakeholders agreed that the most important phase of a child's learning is carried out during the early years. The industry indicated, just as the Productivity Commission did, that there is likely to be a very severe effect on costs which would no doubt be passed on in increases to parent fees. In the majority of cases, they believe it will be substantially more than the $1,500 a year that the government has already conceded it will cost additional for each child. One child-care facility has conducted its own research. It believes the current daily fee of $70 will rise by $4 per day on 1 January next year. It also anticipates another rise of $10 a day two years later on 1 January 2014. Those increases to fees will be solely as a result of these changes. That is a 20 per cent rise in fees. That view is consistent with figures from other stakeholders. We must remember that those increases will occur over and above those of normal inflation, which tends to run parallel with the CPI. Therefore, just doing some basic maths, if CPI runs at 10 per cent over the course of the three years from 2012 to 2014, parents will be looking down the barrel at an increase in their fees from $70 a day to more than $90 per day.

With respect to the teacher-child ratios, the Productivity Commission report states—

To meet the targets specified in the reforms, more workers will be required, and the average level of workers' qualifications will need to increase. The wages of workers in most early childhood education and care employment categories will need to rise because of these factors, and the need to match wage relativities with the primary school sector for teachers.

The report continues—

The supply of suitably qualified workers is likely to take some time to respond, and exemptions from the new standards... will be required. Government timelines for reform appear optimistic.

This fact was borne out in the course of our consultation. It is believed that the greatest impact on costs within the industry will be the alterations to teacher-child ratios. This results in a substantial reduction in the number of children most centres can enrol, while at the same time increasing labour costs through increased staffing.

In a best case scenario the rebates available through either the child-care benefit or the child-care rebate from the Commonwealth would see parents being slugged with an extra $1,500 in fees for every child and receiving federal government assistance of $750. Again, it is an absolute best case scenario that parents will be out of pocket only $750 per child as a result of these changes. However, in a lot of cases, this amount is expected to be far greater. Let us not forget that the child-care benefit has been reduced by this Labor federal government, and Julia Gillard and Wayne Swan are absolutely silent on the issue of increasing the benefit to compensate for these changes. In fact, only last week we heard Wayne Swan hint at taking a razor to the next budget because his promise to get the budget back into surplus in 2012-13 looks very dicey.

In some centres that the LNP consulted up to 70 per cent of the parents are unable to qualify for the child-care benefit because of the income test. In some areas of regional Queensland, daily fees for child care can be $90 to $100. The proposed changes apply to kindergartens as well. So kindergartens currently employing two teachers for 24 students will now only be able to take 22 students. Quite a number of these kindergartens are under financial pressure. No doubt an increase in labour costs may threaten the survival of those kindergartens. This applies right throughout the regional areas and I think we need to look at it very closely. It is worth noting that this particular group of children is the same age group who, by law, must have one teacher to 11 students as proposed by this bill. However, they can enter a government prep class with between 25 and 30 students with just one teacher. Amazing!

We are mindful that there is virtually unanimous support for the strictest of quality controls in child care and early childhood education. However, the increased fees forced upon parents will limit their access to early child care and education, and this flies in the face of the interpretation of the 'universal access' commitment of the COAG agreement. There is even a likelihood that some parents may have to leave the workforce in order to care for their children.

The LNP's position, stated by the shadow minister, is to defer the ratio increases for existing centres until 2020. These increases would apply to newly constructed centres. Where centres undergo major refurbishments which require that they renew their licence, the new ratios will also apply. In government we would review the progress being made on upskilling the workforce and on the attitude to the government's foreshadowed policy of providing 'waivers' where staff is not currently available.

In closing, I want to congratulate the members of the Industry, Education, Training and Industrial Relations Committee. I thank each one for their hard work as well as the chairperson, who did an excellent job. In particular, I wish to congratulate the shadow minister on his research and other work he performed in responding to this bill. I believe Mr Flegg did an outstanding job and I think the whole

committee, working together, has come up with a reasonably good solution. I think the minister is trying to do the best he can with a bill that is very difficult to work with. We must not forget the impact on parents in Queensland because they are doing it really tough at the moment, and nobody in this room would deny that. The cost of living is going through the roof and the imposition on their ability to pay more for child care is going to make things really difficult. If there is anybody in this room who wants to deny that, please put your hand up because I will tell them they are wrong.

I hope the minister will take some of these comments on board. He should listen to what the shadow minister has said because he has put forward some very good propositions. If those are taken on board, we will be making some good policy changes.

Interruption.

DISTINGUISHED VISITOR

Madam DEPUTY SPEAKER (Ms Farmer): Order! Before I call the minister, I would like to acknowledge the presence in the gallery tonight of the Consul General of Japan, who is having dinner tonight with the Queensland-Japan Parliamentary Friendship Group. I welcome you to the Queensland parliament.

Honourable members: Hear, hear!

EDUCATION AND CARE SERVICES NATIONAL LAW (QUEENSLAND) BILL

Second Reading

Resumed.

Hon. CR DICK (Greenslopes—ALP) (Minister for Education and Industrial Relations) (6.03 pm), in reply: I begin tonight by acknowledging the Consul General and the great relationship that exists between Queensland and Japan, facilitated by the Consul General. Japan is an important trading partner of our state and nation and also a nation that is a great friend to Queensland.

In concluding the second reading debate, I begin my comments by thanking all honourable members for their contribution and, again, the committee, led by the member for Toowoomba North, for their work on the bill. The application of the education and care services national law in Queensland will support the national quality framework, which is an important reform aimed at delivering a higher standard of education and care for children in our state and in our nation. This is an important change. It is a big change but a necessary change if we are going to give children the opportunity they need for the future, particularly a future in the 21st century.

Research tells us that the first five years of a child's life shapes their future—their health, their learning and their social development—and we want to make sure that that future is bright for every Queensland child. Early childhood experts and professionals maintain that quality is critical when it comes to early childhood education and care. We must continue to raise the bar when it comes to quality. At the moment, quality standards across early childhood education and care services vary around Australia and there is often limited information available to help families choose the best service for their children. The national quality framework is focused on remedying this situation across Australia.

The national law, developed in collaboration with all Australian governments, will be the mechanism used to ensure the nationally consistent implementation and application of the national quality framework. I affirm to all honourable members again that this is a national law developed nationally. It has been developed by all Australian jurisdictions—the Commonwealth government, all state governments and the territory governments. Of course, in the second reading debate we had no acknowledgement of that by the Liberal National Party. There was no acknowledgement of the contribution that Liberal and National Party governments around Australia have made to not only the development of the national law but also its implementation. The New South Wales parliament, of course, with a new Liberal National Party government, passed this national law and is applying it in New South Wales. Of course, there was no acknowledgement of that.

I am reminded of the comments by the member for Bulimba in the debate. If we had listened to the members of the Liberal National Party in this debate we would have thought that the implementation of this national law in Queensland would mean the end of child care as we know it for Queensland children and their families, that it was Armageddon, that it was the end of the road, that we would have to reopen orphanages because children would be abandoned by their parents because they could not afford child care. Most of it demonstrated a lack of any substantive analysis of the law and, what is more, the history behind the development of the law including an enormous amount of consultation with stakeholders and interested parties that has continued for a significant period.

For the first time in Australia the national quality framework will provide families with information about a service's quality. For the first time ever in our nation's history families in Queensland and around the nation will be able to assess the quality of services being provided when comparing one child-care service and one kindergarten with another. There will be more openness and transparency in how child-care services and kindergartens are assessed. That will be available to families, giving them more information and more choice. I would have thought that the former members of the Liberal Party in the Liberal National Party would have supported the idea of more choice and more information for families because, historically, choice has been a very significant aspect of Liberal Party thought and philosophy in our nation. Of course, that information will allow parents to make more informed decisions about choosing the best service for their children.

I want to now address some of the matters that were raised in the second reading debate by addressing some of the contributions made by the various members. I firstly address the proposed amendment that the member for Moggill will move in committee. Can I say how disappointed I am by this amendment? As we heard from the member for Toowoomba North, this is the first bill reported to the parliament by one of the new parliamentary committees established under the recent parliamentary committee reform process implemented in this parliament. We had a report of the committee that unanimously supported the bill and supported its passage through the parliament. Was this amendment raised and reported in the committee's report? Of course it was not! We were told this committee system was the biggest reform since 1922 and would improve public policy outcomes in Queensland and the first report—

Dr Flegg: Have you read the report?

Mr DICK: The member for Moggill has had his go. I listened to him in silence in this debate and I ask for the same courtesy from the member for Moggill. Did we see this amendment in that report? No, we did not. We saw the amendment circulated yesterday. It is an attempt to radically change the implementation framework for the national law, which has been the subject of discussion in our nation since December 2009. So at the first opportunity the opposition has pulled a political stunt for no other purpose than to try to score political points against the government, against the national process supported by Liberal and National Party governments in other states in Australia.

It does not reflect favourably on the opposition. It does not reflect favourably at all. I express my disappointment and my concern that the committee system will be used not to develop better public policy but to be a forum for more politics in the parliament. I want to express my concern if that is the way we are going to proceed. That is not the intention of those who supported a reform to the committee system and a way to better develop legislation in this state. I quote from the chair's foreword on page 2 of the committee's report, where it states—

The Committee unanimously recommends that the Bill proceed subject to the amendments it has recommended and clarifications by the Minister of points raised in this report.

I have circulated an amendment adopting the committee's recommendation and adopting that suggestion in the parliament. I have also addressed, I think quite comprehensively, in my comments at the beginning of the second reading debate those matters that the committee sought clarification for. Needless to say, the government will not be supporting the amendment circulated by the member for Moggill, and I will address the reasons why.

Firstly, the proposed amendment is contrary to the fundamental intent of the national quality framework. The framework aims to achieve nationally consistent—the same consistent standards in Queensland, in New South Wales, in Victoria and in every other state and territory in the Commonwealth—high-quality standards for all education and care services around Australia and provide assurance to families of the quality education and care their children are receiving. If this amendment were passed, it would not only see inconsistent ratios for over 1,800 Queensland long-day-care and kindergarten services compared with approximately 8,300 existing services in other states and territories but also result in inconsistent standards within Queensland, with existing services held to a lower standard than new services.

This is analogous to the concept put forward by the member for Moggill that we should implement the implementation of year 7 into high school on a staged basis over five years—a very poorly thought out policy proposal that would put schools and our schooling system into chaos and disarray. Similarly, this amendment would create inconsistency and would be unfair to Queensland families but more importantly to Queensland children.

Secondly, the proposed amendment would create a contradiction with the national law. Section 301 of the national law establishes national regulations to apply staffing standards for all services. The regulations prescribe ratios for all centre based services and transitional provisions which continue the majority of Queensland's current educator-child ratios until 2016, with some services able to continue Queensland's current ratio of one is to five until 2018—transitional arrangements argued for by Queensland and implemented nationally. Provisions in both parts of the regulations would need to be

disallowed in order to enact the member for Moggill's proposed amendment. Under regulation 304(4), this disallowance would not have effect unless disallowed in the majority of jurisdictions. So, again, this has not been clearly thought through.

Thirdly, the national agreement in December 2009 set the new ratios and timing for introduction based on extensive consultation with the sector. All governments are committed, I am advised, around Australia to balancing cost impacts with improved quality. This intent was reflected in the national agreement. Consultation considered multiple options for timing for the commencement of the ratio requirements. In the final agreement, Queensland negotiated a delay to the commencement of the national ratios to 2016, with a special arrangement until 2018, which was supported, I am advised, by the child-care sector.

A review of the preparedness of the workforce for the new staffing standards is planned for 2013, followed by full reviews of the national agreement in 2014 and 2019. So the participating jurisdictions will not stand by. We will continue to monitor the implementation of the staffing standards. Those reviews, of course, provide an opportunity for governments to consider whether the staffing standards and planned timing for introduction are too ambitious and should be delayed. So there will be an opportunity to continue to monitor this and review it as necessary and change it as necessary.

Also, additional extensive consultation occurred during December 2010 to May 2011 on draft national regulations including the new ratio requirements and transitional arrangements for existing Queensland services. So for almost a year we have been out there in the community, firstly, with the draft regulations, talking to the sector—to child-care centres, to child-care operators, to licence holders—about the new regulations and to help them get ready, and since the final regulations were issued in October we have been out there talking to them as well.

Bills to adopt the national law have been passed by Victoria in October 2010, by the Australian Capital Territory in October 2011 and by New South Wales in November 2011—the parliament of New South Wales being controlled by the Liberal and National parties—without amendment to the ratios. So it would appear that the New South Wales colleagues of the member for Moggill and other members opposite do not have the same concerns as him and his colleagues. Bills have also been introduced to the South Australian and the Tasmanian parliaments and passed through the Tasmanian upper house in November 2011 without such amendments. I understand that South Australia and Tasmania are on the path to passage. I understand that there are some drafting issues in the way that they draft in Western Australia, but drafting is continuing for implementation in Western Australia at some stage in 2012.

I have touched on the regulatory burden and how we have been out there engaging with the community. The national partnership was agreed in December and was accessible and outlined in substantial detail and available for the world to see. We have worked with the sector on what that national partnership agreement means. The law has been public and available to services since being passed in Victoria in October 2010, and the regulations, as I said, have been out and consulted on since December 2010. We have been working all year to inform services of the detail including summary information on our website tailored to specific service types. So that information has been out there. The regulation of course is more significant than previously because it is national legislation applying to all Australian jurisdictions.

I want to address some of the issues that were raised about cost impacts during the debate. The estimated average cost of $5.99 per day is before the child-care benefit and child-care rebate are provided to families. So not only on the advice ministers have received nationally will the average cost be limited, but there will be support through the child-care benefit and the child-care rebate. Frankly, we heard the concerns. The government listened to the services and looked further at individual centres with a case study approach, and the average of $5.99 is a fair assessment and is appropriate. In fact, for some child-care services, I am advised, we expect a nil impact, while for others who are less prepared for implementation there may be a cost impact. There is nothing to indicate, I am advised, that the estimate of $13 to $15 per day, based on a report by Urban Economics commissioned by Childcare Queensland, would necessarily apply. Ratios, I am advised, are calculated across a service and the size of the room is not really a factor. I am advised that services will have greater flexibility around how they group children. So there will be no need for structural changes to child-care centres or kindergartens.

Access Economics research indicates that, in terms of relative elasticity—that is, relating to participation and attendance in child-care centres—it is not immediately impacted by small price changes. These impacts and the costs and benefits of the reforms were considered by governments in forming the original agreement, and Access Economics assessed that the cost impacts would be affordable, relatively small and would not adversely affect participation. If services are already operating at a high standard with high qualifications, I am advised there should be limited impact on costs, but it was something that was of concern to the Queensland government—something we advocated for and argued for, and we got some changes implemented at a national level.

I want briefly to touch on the direct support the Queensland government is providing for the first time ever to help make kindy fees cheaper. Firstly, our latest initiative will result in cheaper kindy fees for holders of healthcare cards. All families with a healthcare card can now claim a Queensland government subsidy from their service provider to reduce their kindy fees. This is a real and significant financial benefit to Queensland families as it directly reduces their out-of-pocket expenses and helps some of those vulnerable groups in our Queensland community who may historically live in Queensland communities that do not have a history or a culture of kindy. It will encourage them to send their children to kindy. One of the things we as a government are trying to do is build that kindy culture; build the idea in the community that it is important for children to participate in a kindy program so they can start a learning pathway as soon as possible and get the benefit of a kindy program.

The healthcare card subsidy is worth up to $1,179 per year to families accessing a kindergarten service. For families accessing a kindergarten program at a long-day-care service, the subsidy is worth $402 a year as these services are also subsidised by the Australian government. The subsidy will be indexed annually in July to help keep pace with inflation. The extension of the healthcare card subsidy will help Queensland's most disadvantaged children to enjoy the lifelong benefits that a kindergarten program provides.

I will touch on issues raised by the member for Maroochydore. The member for Maroochydore raised a question about the difference between the Queensland child-care regulatory approach and the national quality framework. The current approach is prescriptive, and we are seeking to move forward to an outcomes based approach to regulation. There are gradual changes to improve qualifications and ratios over time combined with increased flexibility as a result of the outcomes based approach. We think that will help mitigate impacts. Teachers in kindergarten currently fulfil a role of director in these services, and the responsibilities of nominated supervisors under the national quality framework is comparable—another issue raised by the member for Maroochydore. All services are affiliated with one of the five central governing bodies funded and designed to support such services to meet their management responsibilities. Disadvantaged families receive substantial support to participate in early childhood education and care in kindergarten.

The member for Gregory raised some issues. I acknowledge his advocacy for remote communities. I will respond to one of the issues he raised, which is there is no intention by the Queensland government to reduce access to distance education in Queensland through our schools of distance education. I have visited the member for Gregory's electorate. I have been to the School of Distance Education in Longreach. I have spoken to families who were online, and I have no intention of moving to close those down. In fact, we are looking at how we can better deliver distance education as part of the transition of year 7 into high school from 2015.

In relation to relief for rural services raised by the member for Gregory, the government is offering further support to 44 part-time kindergarten services located in rural and regional areas in recognition of the unique difficulties faced by those centres. The government recognises there are operational challenges for those in remote and disadvantaged locations, particularly rural services with lower enrolments. Although they operate part time, they have similar expenses to full-time services such as rates and staffing but find it harder to complement government funding with parent fees and fundraising because of their community's small population. These centres will have an increased funding certainty with a share in a $179,000 annual top-up to the Queensland government's real funding guarantee helping them to provide their valuable community service. With this top-up to the real funding guarantee, the government is supporting the viability of small, part-time services by ensuring they receive a higher minimum level of funding than they received under the previous scheme. With enrolments fluctuating annually, this increase to the minimum funding entitlement gives small, part-time services funding certainty, helping them provide a quality kindergarten program, and it is something that we will continue to monitor.

I want to say a little bit about the supply of early childhood teachers and the concern that there is a lack of supply. That was raised by a number of members in the debate. In addition to the ability to apply for waivers, during 2014 to 2016 an individual working towards an early childhood teacher qualification will also be counted as part of the assessment of where we are tracking in Queensland. There are many teachers who will graduate from university this year, there are those who have graduated in immediate past years and there are those who will graduate in future years from 2012 onwards. The fact is that universities are producing more graduates than we can find employment for in Queensland either in the state education system, in the non-state system or in the early childhood sector. For those graduates coming through university, the reform process in relation to early childhood education and care presents a real opportunity to develop a career in early childhood education. Some of the things we are doing include supporting those teachers and supporting workforce demand through a $76 million workforce action plan which I launched a few months ago to help upskill the sector, including substantial investment in scholarships for early childhood training that will continue to be offered as they have been offered since 2009.

The Queensland government is providing an opportunity to employees in long-day-care and kindergarten services who hold advanced diploma qualifications to apply for an early childhood teacher scholarship. Eligible employees with an advanced diploma qualification will be able to upgrade their qualifications at university so they can teach an approved kindergarten program. Scholarship recipients are provided with a range of support directly related to their studies including payment of up to 50 per cent of course fees, a study allowance of $250 per semester up to a maximum of $2,000 during the scholarship period, and eligibility for teacher registration in Queensland on successful completion of the study program.

Employers are able to seek reimbursement of up to 50 per cent of the scholarship recipient's usual gross salary which has been paid by the employer during the period that the recipient participates in the approved professional experience. Some 235 early childhood staff have already been offered government funded scholarships since their commencement in 2010 to upgrade their qualifications. As I announced a few short weeks ago, we are now offering a further 100 scholarships for early childhood staff holding an advanced diploma to upgrade their qualifications. Applications closed on 11 November for studies commencing on 1 September 2012. A free fee-bridging course is also available for primary school teachers to transition to the early childhood sector. So we are looking at a whole range of activities to get more teachers into early childhood education and care. We acknowledge this is a challenge, but we are seeking to address it head-on.

There was some comment in the debate about community kindergartens not being specifically referenced in the national law. Can I say nor are they currently referred to in the current Child Care Act that applies in Queensland, nor are long-day-care services mentioned. So the intent is to move forward into more contemporary language about how we describe early childhood education and care. That phrase itself 'early childhood education and care' represents the transition that we are moving through when it comes to description and the language we use.

The member for Gladstone raised a question relating to the application of standards for services delivered by the state in comparison to the requirements placed on services delivered by private providers. I am pleased to announce that for the first time the national quality framework requires that state delivered pre-prep programs are required to meet the same legislative standards as other early childhood education and care services delivering services to the same age cohort.

The department delivers and funds pre-prep programs across 35 Indigenous communities around the state to children in the year before prep, and these services will be required to meet the same standards including the same educator-child ratios as community kindergartens and long-day-care centres. That is only fair to those children in Indigenous communities.

In conclusion, I thank the staff who have been working on this program in the Department of Education and Training, particularly Therese Ryan, Amanda Dulvarie, Lisa Love, Ben Gordon, Anne Reddell, Rhonda Livingstone, Sarah Swain and Lisa McCoy, and Donna O'Donoghue from my office for their very considerable work in preparing this bill. I have great pleasure in commending this bill to the House—a very significant national reform that Queensland will now be a part of.

Sitting suspended from 6.29 pm to 7.30 pm.

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

Motion agreed to.

Bill read a second time.

Consideration in Detail

Clauses 1 to 4, as read, agreed to.

Insertion of new clause—

Hon. CR DICK (Greenslopes—ALP) (Minister for Education and Industrial Relations) (7.32 pm): I move the following amendment—

1 After clause 4

Page 9, after line 12—

insert—

'4A Minister must table amendments of Education and Care Services National Law

'(1) This section applies if the Education and Care Services National Law set out in the schedule to the *Education and Care Services National Law Act 2010* of Victoria is amended.

'(2) The Minister must table a copy of the amendment in the Legislative Assembly.

'(3) Failure to comply with subsection (2) does not affect the application of the amendment under section 4.'.

I table the explanatory notes to the amendment.

Tabled paper: Explanatory notes to Hon. Cameron Dick's amendments to the Education and Care Services National Law (Queensland) Bill [5892].

I discussed this proposed amendment in my initial contribution in the second reading debate this afternoon. The committee indicated in its report on the bill that it had concerns about the ability of the Queensland parliament to scrutinise future amendments to the national law. We as a government are very keen to ensure that that can occur, and we are, as I said in that contribution, resolute in our determination to keep the parliament and the people of this state fully informed about any future amendments. I accept the committee's recommendation—and I thank them for it—to include a clause requiring future amendments to be tabled. The government regards it as a positive recommendation, so I have moved this amendment to insert the proposed new clause that will permit that to occur.

Dr FLEGG: We support that amendment and the recommendation from the committee. It is interesting that previously the minister seemed to want to sledge the committee system and say that it does not work but now he is accepting what he calls a quality recommendation from the committee. I would put it to the minister that the committee system has worked pretty well.

Amendment agreed to.

Clauses 5 to 16, as read, agreed to.

Clause 17—

Dr FLEGG (7.33 pm): As members would be aware, this is largely a machinery bill meaning that the provisions that have been talked about at length here tonight are contained in subordinate legislation, not in clauses of the bill. That is why relatively few of the clauses will draw comment.

Clause 17 relates to the transition of the Queensland system on to the new national quality standard, so it seems an appropriate place for me to ask a few questions of the minister. The minister was asked during the second reading debate whether he would produce an updated cost impact now that the regulations have been finalised or a family impact statement. He did not reply to either of those, which I took to be in the negative but perhaps he would like to make an explicit reply.

I would like to know from the minister whether he actually acknowledges the fact that the system in Queensland is already significantly different to the other states. I refer him to page xxvii of the Productivity Commission report which singles Queensland out from the large jurisdictions to say that it will need to make more substantial progress to meet these standards than the other states.

The final question I would ask the minister relates to the rating system that has to be displayed in child-care centres. If a centre is granted a waiver, what effect would that have on the rating system as it must be displayed on their premises?

Mr DICK: The government will not be commissioning a further cost analysis. These reforms have been subject to very significant cost analyses already, and the Queensland government has been party to those and has led some of those cost analyses to this point. We do not intend to do anything further in that regard, but I can assure the honourable member that it is something we will continue to monitor.

The national quality framework, as I said earlier in the second reading debate, was agreed in December 2009 and will be gradually implemented from 1 January next year. A study was commissioned in 2009 by the Australian government and it estimated that the cost impact for Queensland long-day-care services would be $5.99 per child per day by 2020, with around half this cost being met by the Australian government through the child-care benefit and rebate. This cost impact will occur gradually across 2012 to 2020 as new staffing requirements are introduced. The first substantial change, as I said in the debate, will not be until 2014 when long-day-care centres and kindergartens will be required to engage an early childhood teacher and family day care educators will be required to hold or be working towards a minimum certificate III qualification.

The second cost impact to services will be the educator-child ratios which will come into effect from 2016. Staffing changes, qualifications and ratios will be subject to review, as I said, in 2013, 2014 and 2019 so governments, including the Queensland government, will continue to keep this under very close scrutiny.

Queensland also negotiated key concessions in the draft national regulations to maintain a balance between improvements to quality and affordability. These include: the delayed implementation of the two major cost impacts, as I have said, including improved staffing requirements from 2014 and educator-child ratios from 2016; a special transitional arrangement for services licensed before 1 January 2011 that can justify the use of a one to five ratio for children aged 15 to 36 months, so they are able to continue to use that ratio until 31 December 2017—a significant concession by other jurisdictions and an acceptance of our proposal; transitional provisions to continue current practices to allow fewer educators to care for children during specified rest periods and rest pauses under certain circumstances; and allowing a diploma qualified educator to backfill an early childhood teacher during short-term absences. I have discussed those issues at ministerial council level nationally and I can assure the honourable member that the concerns he has have not been expressed by other jurisdictions and certainly have not been expressed by any of the Liberal National Party governments represented around that table, including the O'Farrell government of New South Wales and the Western Australian Liberal-National government.

The new assessment and rating process replaces the accreditation process that is currently conducted by the National Childcare Accreditation Council and the associated regulatory assessments that are conducted in each state and territory. State and territory regulatory authorities will be responsible for assessing and rating services in their jurisdiction against the new national quality standard and national regulations. So there are a range of things that will now occur.

The rating of services, which is something that the honourable member raised, will occur following a site visit. The service will be sent a draft assessment report, including a proposed rating, and have the opportunity to provide comments, seek clarification and, in some cases, make minor adjustments to practice. After considering the service's feedback and any relevant information provided, the regulatory authority will finalise the report and determine the final rating for each quality area and an overall rating for the service. The regulatory authority may rate a service at one of four rating levels: exceeds national quality standard, meets national quality standard, working towards national quality standard, or significant improvement required. The highest rating of excellent can be granted only after an application to the national authority, which is the Australian Children's Education and Care Quality Authority. That authority is chaired by Rachel Hunter, who is a former director-general of the department of education, training and the arts and a former director-general of the department of justice. She is a very fine and distinguished senior public servant in the state. Her appointment was unanimous across all jurisdictions. So the assessment process will be a very useful one for parents and families and, I think, a very positive one. But we are moving through that transitional phase to ensure effective implementation.

Clause 17, as read, agreed to.

Clauses 18 to 30, as read, agreed to.

Insertion of new clause—

Dr FLEGG (7.41 pm): I move the following amendment—

1 After clause 30

Page 28, after line 15—

insert—

'30A Staffing requirements for existing centre based services

'(1) This section applies to an approved education and care service that, immediately before the scheme commencement day, was a licensed centre based service under the *Child Care Act 2002*.

'(2) For the transitional period—

(a) the staffing requirements under the Education and Care Services National Law (Queensland) and national regulations do not apply to the service; and

(b) the staffing requirements that applied to the service under the *Child Care Act 2002* immediately before the scheme commencement day continue to apply to the service.

'(3) In this section—

staffing requirements means requirements about the number of qualified staff required to be present while education and care is being provided to children by the service.

transitional period means the period—

(a) starting on the scheme commencement day; and

(b) ending on the following day—

(i) if, before 1 January 2020, a new service approval is granted for the service, or the service approval for the service is amended, because of a change to the education and care service premises for the service-the day of the grant or amendment of the service approval;

(ii) otherwise—1 January 2020.'.

I table the explanatory notes.

Tabled paper: Explanatory notes to Dr Bruce Flegg's amendments to the Education and Care Services National Law (Queensland) Bill [5893].

The minister was very critical of the committee system in his earlier comments. I would be full of praise for the committee system and the effect that it has had on improving this legislation. In fact, the report of the committee states—

Notwithstanding this, some Committee Members continue to hold strong concerns that implementation of the reforms may need to be delayed to reduce the cost impact on parents.

Our concern about cost impact is there in black and white in the committee's report, if the minister had cared to read it. This amendment that we have moved is aimed at one thing and one thing only: maintaining the affordability of child care for Queensland families. It is the LNP that is trying to stand up to the cost-of-living pressures that this government keeps piling on families. The minister had very little to say about that, but it is his government that has put so much cost-of-living pressure on families in terms of water prices, electricity prices and rates.

Why was the minister so annoyed that the opposition moved an amendment that we foreshadowed in the committee report, anyway? He was annoyed because he was caught out. He thought that he was going to slip through a bill that could add up to $6,000 to the cost of child care for each child in Queensland and would certainly add up to $3,000 to $4,000 per year per child. He did not get away with it.

In his responses—and this amendment that I have moved is about nothing other than keeping child care affordable—the minister made no serious attempt to respond to the red tape burden on child-care providers, said nothing about the cost burden that they and their parents will have to bear and made no effort to make another cost analysis, as we heard him say; there was just this utopia that somehow or other everybody supported the bill. They did not support the bill. Perhaps the minister should have been out talking to some of the people who we were talking to.

This is an industry that is under great stress. The ratio change that we are seeking to defer here tonight will add further workforce pressure as well as cost pressure. With a teacher in every child-care centre—1,400 of them—the pressure to open kindergarten programs to compete with the government's kindergarten programs will add even further pressure to that system.

Mr DICK: I feel aggrieved that the member for Moggill has misrepresented me in the debate.

Mr Wilson: Wouldn't be the first time.

Mr DICK: I take that interjection from the Minister for Health. It would not be the first time and, can I add, it will not be the last time. Can I say that I was not critical of the committee system during the debate. What I was critical of, and the people I was critical of, were the LNP members seeking to circumvent or otherwise use the committee system to put more politics into the system and not better policy. The committee system will work and work effectively if members of this House on both sides of the chamber can sit around the table, analyse a bill and be constructive in their criticism and be constructive in the proposals that they put forward. The amendment was not foreshadowed in the committee's report. The committee reported to the parliament that the bill should be passed with one recommendation in relation to one proposed amendment, which I have moved and which the parliament has just accepted this evening. So the member for Moggill stands condemned by his own conduct through this process.

I reject the assertion by the member for Moggill that the government has heaped, in his words, all of these cost pressures on families when it comes to child care. This is a national process accepted, supported and endorsed by all governments around Australia, including Liberal-National governments. I reject the criticism outright that the government has increased cost burdens because of our actions through this bill that is being moved through the parliament. Every part of the national quality framework was developed in a cooperative fashion with all jurisdictions and all governments around Australia and, of course, through constant consultation with the child-care and early education sector at all stages, and we continue to work with and listen to them.

I do not believe that this is unnecessary red tape and an unnecessary cost burden. There are cost issues involved and Queensland has led the debate nationally on some of those issues. I am pleased that the Minister for Health is in the chamber this evening. As the former minister for education, he was at the forefront of some of those national debates and national arguments. I thank him for his advocacy and recognise the work that he did and that I have run with since I became the minister for education. So we are very sensitive to this issue. We are very sensitive to the cost pressures on families and we have sought to ameliorate some of those impacts by the transitional arrangements that Queensland has been successful in implementing.

I talk to people regularly in my position as minister for education. In the child-care sector I convened a forum in my own electorate and invited every child-care service, every long-day-care centre and every kindergarten to that forum—and very well attended it was—to talk through these changes. I have attended forums held in other electorates throughout Queensland to talk to those providers directly. So I reject the assertions.

The government will not accept this amendment. This amendment was put up at the last minute to try to curry some public favour. It was not driven by a proper policy process through the committee, which did very good work on this bill. It has been put forward by the LNP to try to show some faux support for the sector. It is, I think, ultimately an insubstantial amendment and an amendment that is wrong and wrong-headed for the reasons that I argued in the second reading debate. I will not go over that.

Mr Wilson: Did they put this proposal to the portfolio committee?

Mr DICK: I take the interjection from the Minister for Health. I am not aware that this proposal was ever put to the portfolio committee. The proposal was not put to the committee. The members can say that they have 'concerns', which is what they say, but when the rubber hits the road under the new parliamentary system you are expected to put up or be quiet. You are expected to come forward with suggestions and proposals through the committee system and, through that contestable process, to come forward with proposed amendments.

I do not accept the amendment. I think it is more politics in the system. The whole reason for the committee system was to try to reduce politics and put a better policy framework, from the parliament's perspective, around legislation. So I accept the recommendations that were put forward by the committee.

Can I address one issue in conclusion that the honourable member raised about waivers. The national regulation requires any service with a waiver to publicly display that waiver—its duration, type and the elements affected by it. That addresses an issue the honourable member raised previously.

Division: Question put—That the amendment be agreed to.

AYES, 32—Bates, Bleijie, Cripps, Cunningham, Davis, Dempsey, Dickson, Dowling, Elmes, Emerson, Flegg, Foley, Gibson, Hobbs, Hopper, Horan, Johnson, Knuth, Langbroek, McArdle, Menkens, Messenger, Nicholls, Powell, Seeney, Simpson, Springborg, Stevens, Stuckey, Wellington. Tellers: Rickuss, Sorensen

NOES, 44—Attwood, Boyle, Choi, Croft, Darling, Dick, Farmer, Finn, Fraser, Hinchliffe, Hoolihan, Jarratt, Johnstone, Kiernan, Kilburn, Lawlor, Miller, Moorhead, Mulherin, Nolan, 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: Keech, Male

Resolved in the negative.

Non-government amendment (Dr Flegg) negatived.

Clauses 31 to 38, as read, agreed to.

Clause 39—

Dr FLEGG (7.57 pm): As we pointed out previously, this bill is largely a machinery bill that makes the national law and its subordinate legislation applicable in Queensland. For example, it ensures the Queensland blue card system still applies under the new law—rightly and properly, obviously. Clause 39 relates to the transition of RTI laws to the federal freedom-of-information regime. I ask the minister to clarify in his mind what happens here in Queensland in terms of obtaining freedom-of-information access.

Mr DICK: I assure the honourable member that adopting the national law in Queensland means that Commonwealth privacy, freedom-of-information and Ombudsman's laws will apply as laws of this state. For privacy and freedom-of-information matters, though, those laws will only apply in relation to the function of the national authority and the regulatory authority set out in the national law. I have talked about the national authority previously, and the regulatory authority as defined will be the chief executive. So only in respect of the duties, responsibilities and actions of those two bodies—the national authority and the regulatory authority as defined under the law—will those Commonwealth laws apply.

This was part of the national negotiation. The only way to, in a sense, implement a national framework for some of these things is to agree to have a single law apply. How do you agree which right-to-information law applies? How do you agree which ombudsman's laws apply? The best thing in those circumstances is to rely on the national law, which everyone has experience with in one capacity or another.

So the Commonwealth Ombudsman legislation will only apply to the national authority. Alternative models were considered by the national working group when developing the national law—for example, consideration was given to applying each jurisdiction's own privacy and freedom-of-information laws. However, the other models would not have achieved greater national consistency for the sector in relation to these matters for the purposes of the national law. So that is another relevant factor. We need to think about the participants—those child-care centres and kindies involved in the process—and how we deliver consistency for them and for the parents and families involved in sending their children to those child-care centres.

Other than applying the Commonwealth privacy and freedom-of-information laws as if they are laws of each state or territory, it is open for each state or territory to apply its own governance laws to its regulatory authority—for example, legislation relating to Auditor-General oversight, public records and financial management and administrative review. However, as the national authority is a single national entity, no specific oversight legislation would have automatically applied to it. Therefore, it was decided to apply the Commonwealth Ombudsman Act to the national authority to ensure good governance arrangements and appropriate scrutiny of its operations.

From the perspective of the Queensland government, there will be no diminution in transparency in how both the national authority and the regulatory authority will apply. They will continue with the same level of transparency as we have under law in Queensland at present.

Clause 39, as read, agreed to.

Clauses 40 to 105, as read, agreed to.

Third Reading

Hon. CR DICK (Greenslopes—ALP) (Minister for Education and Industrial Relations) (8.01 pm): I move—

That the bill, as amended, be now read a third time.

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

Motion agreed to.

Bill read a third time.

Long Title

Hon. CR DICK (Greenslopes—ALP) (Minister for Education and Industrial Relations) (8.01 pm): I move—

That the long title of the bill be agreed to.

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

Motion agreed to.

SPEAKER'S STATEMENT

Same Question Rule

Mr DEPUTY SPEAKER (Mr O'Brien): Honourable members, I have been asked to read a statement from the Speaker regarding the same question rule and the Education and Training Legislation Amendment Bill 2011. The statement reads—

Honourable members, standing order 87 provides the general rule of the Westminster parliamentary practice that once the House has resolved a matter in the affirmative or negative, the same question shall not again be proposed in the same session. Similarly, standing order 150 provides for the application of the same question rule in relation to amendments, clauses or new schedules of a bill. It states that—

'No amendment, new clause or schedule to a Bill shall be at any time moved which is substantially the same as one already negatived by the House, or which is inconsistent with one that has already been agreed to by the House, unless there has been an order of the House to reconsider the Bill.'

As previous Speakers have noted, 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.

The Minister for Education and Industrial Relations has circulated amendments to the Education and Training Legislation Amendment Bill. Amendment No. 8 proposes to omit clauses 16 to 30 of the bill. Amendment No. 9 proposes to insert a series of new clauses numbered 16 through to 30J. A number of the proposed new clauses are the same or substantially the same as a number of the clauses that would be omitted by amendment No. 8.

Should the House agree to amendment No. 8, which would omit clauses 16 to 30, the same question rule would be enlivened when the House deals with amendment No. 9. Therefore, I would have been compelled to rule the amendments out of order unless the House resolves otherwise.

In addition, the Education and Training Legislation Amendment Bill is a bill that has been referred to a portfolio committee under the new committee system. Therefore, the new time limits for consideration in detail outlined in the sessional orders apply. Members have only one opportunity for up to three minutes to seek information on each question. Accordingly, I bring to the House's attention the fact that, under the current standing and sessional orders, members would have one opportunity only to ask questions in relation to all the new clauses proposed in amendment No. 9.

MOTION

Suspension of Standing Orders

Hon. JC SPENCE (Sunnybank—ALP) (Leader of the House) (8.05 pm), by leave, without notice: I move—

That standing orders 87 and 150 be suspended to enable amendment No. 9 to the Education and Training Legislation Amendment Bill to be moved.

Question put—That the motion be agreed to.

Motion agreed to.

MOTION

Suspension of Standing and Sessional Orders

Hon. JC SPENCE (Sunnybank—ALP) (Leader of the House) (8.05 pm), by leave, without notice: I move—

That, notwithstanding anything contained in the standing and sessional orders, amendment No. 9 circulated in the minister's name be considered clause by clause as if each of the proposed clauses were separate amendments.

Question put—That the motion be agreed to.

Motion agreed to.

EDUCATION AND TRAINING LEGISLATION AMENDMENT BILL

Resumed from 2 August (see p. 2239).

Second Reading

Hon. CR DICK (Greenslopes—ALP) (Minister for Education and Industrial Relations) (8.05 pm): I move—

That the bill be now read a second time.

At the outset, I thank the Industry, Education, Training and Industrial Relations Committee for its report on the Education and Training Legislation Amendment Bill 2011, dated 7 November 2011. While the committee was generally supportive of the bill, it has recommended that four amendments be made to the bill. The government has carefully considered the committee's recommendations and has decided to act on the majority of them. I table the government's response to the committee's report.

Tabled paper: Queensland government response to Report No. 5 of the Industry, Education, Training and Industrial Relations Committee, Education and Training Legislation Amendment Bill 2011 [5894].

The committee's recommendation 1 was that the bill proceed, subject to the amendments recommended and issues raised in the committee's report. The government notes this recommendation and will be making amendments to the bill during consideration in detail to address some of the issues raised by the committee.

Recommendation 2 was that a definition of 'sexual abuse' and 'likely sexual abuse' is required. The government supports this recommendation in part. Attempting to define sexual abuse may have the unintended consequence of narrowing the scope of the reporting obligations on school staff. However, I have noted the concerns of stakeholders about the scope of the reporting obligations and have taken into account the views of the committee. In response, on behalf of the government, I will move an amendment during consideration in detail to provide clarity around the circumstances in which sexual behaviour should be reported under the proposed mandatory reporting provisions.

The committee also expressed the view that comprehensive training should be made available to school staff across all sectors in relation to the reporting of sexual abuse. The committee referred to a training program used by the education department in British Columbia, Canada. I reassure members that the Department of Education and Training already provides comprehensive training to state school staff. The training deals with issues such as identifying appropriate and inappropriate sexual behaviours and how to respond to those behaviours. The Department of Education and Training will make its training materials available to the non-state school sector so there can be consistency in training across both sectors.

Queensland's state schools use similar resources to the British Columbia program to assist staff to determine an appropriate response to student sexual behaviour. *Student's sexual behaviour—a guide for schools* provides information to help school staff identify age appropriate sexual behaviours. The guide makes use of Family Planning Queensland's traffic lights framework to help staff to identify, assess and respond to sexual behaviours, ranging from normal to inappropriate or problematic behaviours. *A Principals' Checklist: Managing Students' Sexual Behaviour* also provides a step-by-step procedure for principals to follow. The Department of Education and Training will review and update these materials prior to the commencement of the amendments in the bill.

The department takes its obligations to ensure the safety and wellbeing of school students very seriously. The current training provided to state school staff is based on the latest research in child protection and comprehensively addresses all aspects of reporting sexual abuse. The department will continue to deliver this training to staff and ensure that it is kept up to date.

Department of education staff are required to complete the online student protection training on commencing work in a state school. Training is targeted to the role of the staff member. Staff members are informed about the department of education student protection policy, which outlines required responses to suspicions of harm. A fact sheet detailing the new legislative requirements will be

produced and made available to all employees through the department's website. To allow time for implementation in state and non-state schools, the mandatory reporting amendments will not commence until July 2012 for the start of term 3. Aligning commencement with the start of term 3 will ensure there is sufficient time for informing and training school staff in state and non-state schools.

Recommendation 3 was that a person's eligibility declaration should only be cancelled when they are convicted of a serious offence, not when they are charged with a serious offence. The government proposes to support this recommendation in part. The bill will provide that a person who is convicted of a serious offence is prohibited from applying for teacher registration. A person who is convicted of a serious offence but is not sentenced to imprisonment may, however, apply for an eligibility declaration. If granted, the person may subsequently apply for teacher registration. At both the eligibility declaration and registration stage the applicant must demonstrate exceptional circumstances.

The committee has recommended that an eligibility declaration should only be cancelled upon conviction for a serious offence. The government supports this recommendation in part. It is proposed to provide that a person's eligibility declaration is not ceased upon a charge for a serious offence if the person to whom the eligibility declaration has been issued also holds registration or permission to teach. The existing provisions of the Education (Queensland College of Teachers) Act 2005 will operate adequately to protect the safety of children if the person holds registration when they are charged. Under the QCT act, as amended by the bill, a teacher charged with a serious offence will have their registration immediately suspended. If convicted, the person becomes an excluded person. In that instance, the person's registration would be cancelled and their eligibility declaration will cease. If the person is not convicted of the serious offence, the Queensland College of Teachers must take disciplinary action against the person before the Queensland Civil and Administrative Tribunal.

The Queensland Civil and Administrative Tribunal has the power to cancel the person's registration or permission to teach and to prohibit the person from applying for registration or permission to teach in the future. If such an order is made, the person becomes an excluded person and their eligibility declaration would be ceased. However, where a person to whom an eligibility declaration has been issued does not also hold teacher registration, the bill will continue to cease the declaration upon the charge for a serious offence. The person would need to reapply for an eligibility declaration if they wish to seek teacher registration in the future. This gives the college the opportunity to consider the facts of the matter leading to the person's charge, together with the person's previous criminal history, to decide whether it is appropriate for the person to hold an eligibility declaration.

Where possible, the Queensland government aims to ensure consistency across Queensland's criminal history screening processes, including the blue and yellow card systems for working with children and people with a disability and screening for teacher registration. The eligibility declaration provisions in the Commission for Children and Young People and Child Guardian Act 2000 and the Disability Services Act 2006 provide for ceasing of the declaration upon a charge for prescribed offences. Deviation from these criminal history screening processes is only considered appropriate for teachers already in the system. If the eligibility declaration of a teacher ceased upon a charge, their registration would be cancelled at that time as they would become an excluded person. Due process, prescribed in the Queensland College of Teachers act, for considering the effect of the charge on the person's suitability could not be followed.

Recommendation 4 was that the bill provide for a right of appeal to QCAT in respect of decisions by the college not to grant an eligibility declaration. The government does not support this recommendation—not because we disagree with the principle that administrative power should be subject to an appropriate level of review, but because we believe the administrative power in this case is sufficiently well defined and subject to an appropriate level of review, being judicial review by the Supreme Court. As I have noted previously, the Queensland government aims to provide for consistent criminal history screening criteria and decision-making processes across government. The eligibility declaration provisions in this bill were modelled on the provisions in the Commission for Children and Young People and Child Guardian Act 2000 and the Disability Services Act 2006. Neither of these acts provide for a right of appeal from a decision to refuse an eligibility declaration, apart from judicial review.

The decision-making processes for the college are well defined. The college must make its decision based on whether it is in the best interests of children for the person to be granted an eligibility declaration. This is a test the college currently exercises when considering the suitability of a person to teach. For these reasons we consider that a further right of review to QCAT is not required.

The committee also sought clarification of the consequences of the revocation of an eligibility declaration where a person is charged with a serious offence. The government response indicates that there is a two-year limitation on applying for an eligibility declaration when the college refuses an eligibility declaration under the proposed section 12G. However, where a person has an eligibility declaration revoked or ceased under the proposed section 12M, that person is able to immediately apply for an eligibility declaration again.

Recommendation 5 was that currently registered teachers with a conviction for a serious offence be subject to a show cause process rather than being automatically cancelled. The committee was commenting on proposed amendments to the bill to cancel the registration of those teachers who have existing convictions for serious offences. The Queensland government makes no apologies for setting the highest possible standards for teachers and taking action to protect Queensland's schoolchildren. However, after considering the committee's views and the comments of stakeholders, the government has decided to accept the committee's recommendation in part.

The bill will be amended to provide that registered teachers with a conviction for a serious offence will have to show cause why their registration should not be cancelled. This show cause process will only apply where the teacher was not sentenced to imprisonment and the college has, during previous registration or renewal processes, considered the person to be suitable to teach under exceptional circumstances despite their conviction. In this instance we are only talking about a handful of teachers. I understand that seven teachers will be caught by the show cause process.

I anticipate that amendments in relation to teacher registration will be proclaimed to commence in January 2012, subject to the passage of this bill. It is important that these new standards take effect as soon as possible, and a January 2012 commencement will ensure these standards apply for the new school year. The January 2012 commencement will allow sufficient time for the college to implement the new administrative processes required.

I would like to thank the committee for its detailed consideration of the bill and the stakeholders who took the time to make submissions to the committee. I am pleased that this government was able to work constructively with the members on the committee and accept many of its recommendations in relation to this bill. The committee's detailed report and its interactions with stakeholders have provided new insights into the policy questions this bill addresses and has enabled this government to make further improvements to the bill.

As I advised the House upon its introduction, this bill will strengthen Queensland's child protection framework by improving the processes for mandatory reporting of sexual abuse of schoolchildren. It will also strengthen the safeguards in the teacher registration system by providing for lifetime bans on teachers convicted of serious offences. The bill makes minor amendments to other education and training legislation regarding the use of university trust land, recognition of overseas schools providing Queensland senior school qualifications and the not-for-profit status of statutory TAFE institutes.

I propose to move a number of amendments during consideration in detail in relation to teacher registration, delegation of the director's function to receive and make reports about suspected sexual abuse and revocation of eligibility declarations. The primary purpose of the amendments will be to apply the cancellation of teacher registration provisions to teachers convicted of serious offences, irrespective of the date of the conviction. As I have noted already, those teachers who were not sentenced to imprisonment and whose convictions have previously been considered by the college will be subject to a show cause process. The amendments will ensure that any person convicted of a serious offence will be excluded from holding teacher registration, irrespective of when the offence was committed. These amendments are aimed at ensuring the protection of children in Queensland schools and to uphold the standard of, and public confidence in, the teaching profession in Queensland.

The amendments will prohibit a director of a non-state school's governing body delegating their function to receive and make reports about sexual abuse to a non-state school principal or other staff member. This ensures that a staff member of a non-state school has two avenues for reporting allegations of sexual abuse—either to the principal or to the director or their delegate. This aligns with the state school procedure, which allows reporting to the principal or the principal's supervisor. It will ensure the staff member has an alternative avenue to report allegations of sexual abuse involving the principal.

The proposed amendments will also provide that a person's eligibility declaration is not ceased upon a charge for a serious offence if the person to whom the eligibility declaration has been issued also holds registration. I have already outlined why this amendment and the other amendments proposed in response to the committee's recommendations are considered necessary.

Dr FLEGG (Moggill—LNP) (8.18 pm): In relation to the Education and Training Legislation Amendment Bill 2011, let me make the comment again that I made on the previous bill, and that is that we have had another good example of how the committee system has contributed to the work that we do in this place and has contributed to giving us a better outcome for the legislation. I might take the opportunity of this second reading debate to thank the committee of which I am deputy chair and, in particular, the executive staff of the committee. I think they have an done an outstanding job in scrutinising this piece of legislation, putting forward sensible amendments based on the public consultation that was held and that have, in some part, been accepted by the government. I think that is a good example of how the committee system works.

I do note, however, that the minister seems to have very little concept of how the committee system works, judging by his comments here tonight, in that the opposition not only is entitled but would be expected to await the committee's report before it forms its final position in relation to what we do with a bill. It is in the interests of this place that the opposition considers all factors and in particular has the opportunity after a report is tabled to consider the report of the committee when it formulates whether it will support, oppose or amend a bill.

The earlier suggestion by the minister that amendments have to be put up before the opposition has had the opportunity to do that not only is patently absurd but shows that the minister has very little understanding of how being in opposition works—I hope that he gets a better understanding at some time in the future—and has even less understanding of how a committee system works where individuals give the best performance they can in that committee. It does not necessarily mean that that individual is doing so on behalf of the party. It is of benefit to this place that people use their best goodwill, their best research, their best intelligence to make the best contribution they can to a committee and that then, in this case, an opposition takes that committee's report and considers it. So I hope on this bill the minister will give some more careful thought to his rather loose comments.

In relation to the provisions of this bill, the opposition will be supporting the government's position on the bill and will be supporting the minister's amendments to the bill. In the area of mandatory reporting, I think there is very strong support for mandatory reporting. It should be noted that in this particular instance mandatory reporting does not apply just to teachers but to all school staff—so it applies to the groundsmen, the cleaners or anyone else who holds a position in a school. So the net of people who are actually subjected to a legislative requirement is considerably increased. Nevertheless, the overwhelming priority that we protect children and that we hopefully never see again some of the terrible things that have happened in the past dictates that sometimes these sorts of legislative measures are in the best interests of children, and we accept in this case that that is the case.

We support the committee's recommendation in relation to having a definition of sexual abuse. I note the minister's comments here tonight. I deliberately waited to see what the minister's response to the committee report was. I can understand the position that the minister is in. It is difficult to define not just sexual abuse but even more so a child who may be at risk of future sexual abuse, which of course is a provision of this bill. I note the minister's comments in relation to the training of state school staff. I appreciate that and the very high standard that child safety receives in our state schools. I do not think for a minute that this bill has been brought forward because there is any doubt about those high standards. I, in fact, come from a profession that has had mandatory reporting for some time. On occasions I have had to report matters myself under those provisions, so I have a reasonable knowledge of it.

Tonight the opposition is not going to move an amendment in relation to a definition. I do not think it is something that an opposition is resourced to do. But I note that we think it would have been a better move to have a definition. Let me explain why. When you are dealing with students in this age group, under-age interstudent sexual relationships are very, very common—very common indeed—and in some cases are probably the norm. So, without a definition of what comprises sexual abuse, staff are then left to decide themselves whether the under-age sexual activity that they may observe does or does not constitute abuse. I think in the absence of a definition that is a fairly challenging responsibility to put on to people.

Mr Dick: We are going to put a definition in. Clause 2 of the amendments will include a definition.

Dr FLEGG: I take the minister's interjection that he is including a definition. I will have to turn my hearing aid up a bit because I thought in his comments before he said that he was not going to include a definition.

Mr Dick: No. I did not talk about the detail, but we are going to put a definition in. It is not going to be an exclusive definition, but it will set up the circumstances. It is the second amendment that I am going to move.

Dr FLEGG: I take that interjection from the minister. I am pleased to see that he is on the same page as the LNP in supporting having a definition. I know it is difficult to define it without running the risk of missing something. But when you have a broad group of staff, not just professional teaching staff but other staff, I think the idea of a definition to at least give some guidance is a plus. I am very pleased that the minister has clarified that and come down on the side of the LNP for once.

While I am on the issue of mandatory reporting, I would like to note one point, and it may be something that needs to be considered at a later date. This mandatory reporting system applies within schools; it does not apply within child-care and early childhood centres. This was a point that was raised in one of the submissions to the committee. I think it is an issue that has been raised from time to time in the community, that we have a mandatory reporting system now within schools but it does not apply necessarily across child care.

The other major provision of this bill—which, again, the opposition will welcome and support the government in, and in fact it is a measure that we have supported on this side for a long time and are pleased to see implemented—is the correction of what I would have viewed as an anomaly, and that is to do with when a teacher is convicted of a serious offence. For anyone who is interested, I might clarify that a serious offence could be a serious sexual offence against a child, which has always carried the potential for a lifetime ban for a teacher, and quite rightly. But in this bill that is extended to include serious violent crime and serious drug crime, and I emphasise 'serious' drug crime because we are talking about trafficking and the like rather than possession. Under this legislation, when a teacher is convicted of a serious offence, they will be automatically deregistered and will not have that automatic right to reapply for registration after five years. These are measures that we have supported for a long time and we welcome their introduction.

Lifetime bans may sound a bit harsh in some cases, but in this case we are talking about the protection of children and we are talking about serious offences. We are not talking about anybody who has committed a minor criminal offence or misdemeanour. We are talking about serious issues. I think the reality of protecting our children is that people with those sorts of convictions ought to look for a career elsewhere outside the classroom.

There is a raft of amendments from the minister that I will not address in detail because they are quite well covered in the committee's report. Suffice it to say that we support all the amendments that the minister has put forward. They are mostly concerning the area of what I would call natural justice—for example, you can be suspended from duty but you are not disqualified as a teacher until you reach the point of being convicted as opposed to being charged—and some provisions around the revocation of eligibility declarations, all of which I am in agreement with.

There is one other provision of the bill that I will seek some clarification from the minister about and we may seek some clarification in the consideration in detail stage, and that is the use of university land. I note that in the submissions to the committee no concerns were raised about this matter, but I think it does bear a bit closer scrutiny. The reason I say that is obviously the committee consulted education stakeholders, whereas concerns about potential use of, in some cases, large tracts of land may well be concerns that are held elsewhere in the community other than by education stakeholders. I am not indicating that we have any opposition to this provision, but I am seeking some clarification and, in some cases, maybe even a watching brief because we have seen some concern raised.

The sorts of areas where concern might be expressed would be, for example, in the redevelopment of the dental hospital in Brisbane which I think is on University of Queensland land. There are some rumours in the development sector that this site might be up for development, if I could put it that way. I note in the explanatory notes to the bill that in extending the potential commercial partnership that the university may enter into to 100 years that the use of the site should be 'consistent with the functions of a university'. That is a pretty broad definition. I am not suggesting there is any particular matter that has brought this to legislation at this point in time, but I think there is some genuine vigilance that is needed here. If land is deeded for the purpose of educational use, I think the community has a reasonable expectation that the use of that land will contribute to educational purposes. I do not think that extends to allowing commercial residential development for profit. I think that is stepping outside the definition of a use that is consistent with the functions of a university. But I could imagine in the case of some of these parcels of education land that this could be a very big issue in the future.

As well as the dental hospital, other parcels that occur to me—and I know there are others that have been mentioned around the state—would be the QUT site at Carseldine. I think it is quite possible that that particular site has been in somebody's mind in the drafting of this legislation. It is a block of land that was the old TAFE site.

Mr Hinchliffe: It was not a TAFE. I think you might mean a CAE.

Dr FLEGG: Okay.

Mr Dick: He is a northsider.

Dr FLEGG: Yes, he is a northsider.

Mr Hinchliffe: So was he at one stage.

Dr FLEGG: The land on which the Carseldine campus stands went to QUT, which has informed us publicly that it does not have an educational use for that land. The state government is moving to house 1,000 state public servants on the site. I think that is the correct number.

Mr Dick interjected.

Mr Bleijie interjected.

Dr FLEGG: We know that the state Public Service has ballooned but maybe not that much. I will accept that. This particular site is a controversial site for those who live in the Aspley-Carseldine area. Once again, the site could certainly be put to dramatically different uses under the provisions of this bill. I think people in that area would expect us to be asking some questions about it.

The other site that is a university site held for education purposes is the very large Queensland university site at Pinjarra Hills in my electorate of Moggill. It is some 340 acres, I think, with a large frontage on the Brisbane River. I know that the university's current intention is to do a mixed development with some residential in association with a university campus, but I am quite certain that is not set in cement. That would be another site that might well have been in the minds of people in framing this legislation. Again, we would ask the minister for some clarification about what sorts of uses he thinks this legislation that he has brought into the House will be put to when it comes to those sorts of sites which are obviously challenges for anyone as far as future development goes.

I am pleased to see the measures in relation to mandatory reporting and teacher registration contained in this bill. I am very pleased to see the minister adopt the recommendations of the committee. I think that is something very new for Queensland. It was pretty rare to see the government adopt any recommendations from this side of the House once the bill got into the House, so it is perhaps a clear indication that consultation with the public and input from the opposition can influence the shape of some of our legislation. The process has been improved by the new system that we have introduced. We will be pleased to be supporting these measures.

Mr BLEIJIE (Kawana—LNP) (8.37 pm): Mr Deputy Speaker, I seek your indulgence to wish my daughter, who is in the strangers' dining room tonight, a happy 6th birthday. Unfortunately, she is feasting on dessert and did not want to come in to listen to dad speak.

Dr Flegg: You can't blame her for that.

Mr Dick: She is obviously her mother's daughter.

Mr BLEIJIE: But her eight-year-old sister did and is in the public gallery. I welcome them to Parliament House.

The Education and Training Legislation Amendment Bill primarily deals with the safety, wellbeing and overall protection of Queensland students. The bill amends the Education (General Provisions) Act 2006, the Education (Queensland College of Teachers) Act 2005 and other acts for specific purposes. The bill will extend the mandatory reporting requirements of sexual abuse to include where a staff member becomes aware or reasonably suspects a student is being sexually abused by any person and promote timely reporting of any such incidents to the Queensland Police Service.

There is also an amendment to ensure the automatic cancellation of a teacher's registration or permission to teach where a person is convicted of a serious offence irrespective of the sentencing of imprisonment. I note the committee has recommended the bill be passed subject to some key amendments recommended and consideration and clarification by the minister of the points noted under section 1.2 of the committee report.

The shadow minister for education highlighted the agreement that the LNP has with recommendation 2 of that report and, indeed, the member for Moggill commented earlier on the greater definition that needed to be included. I take the minister's interjection to the honourable shadow minister before in relation to amendments that he has or will be putting before the House later tonight. That is good news. It is good news with the committee process that we have that these committees have these opportunities in an upfront manner to put forward recommendations to ministers. It is good to see the honourable minister taking on board some of those recommendations, and I thank him for that.

The bill was not referred to the legal affairs committee, but I note that the committee did seek feedback from the legal affairs committee in terms of some of the issues, particularly with respect to the automatic cancellation of a teacher's registration. That is how committees can work together, as was the case here. At the end of the day, with the amendments that the honourable Minister for Education will hopefully be moving, we will end up with better legislation. As I indicated, the amendments in terms of definition will be well received.

It is appropriate that the Queensland Police Service investigate any matters where an allegation of sexual abuse of a Queensland student is reported. The mandatory reporting requirements contained in the bill are important in that a determined cause of action should be at the behest of the QPS, rather than the administration of an individual school administration. This will remove any possibility or suggestion of improper intraschool investigation of such matters, as the QPS will be an unbiased third party in dealing with these important matters. Given the importance of the issues in question, the investigatory process must be rigid and transparent, as is the underlying intent of the bill. Under these provisions, staff will be afforded indemnity from liability when making reports to the police of allegations of sexual abuse or a risk of sexual abuse where the perpetrator is not employed at the school, whereas they currently are not.

I note that a major review of teacher registration in Queensland has not taken place for some 17 years. New South Wales, Western Australia, the Northern Territory and Victoria all established mandatory regulatory systems for teacher registration between 2001 and 2004. A review of Queensland's teacher registration process is well overdue and certainly welcomed.

I also note that there are provisions in the bill in relation to QCAT, the Queensland Civil and Administrative Tribunal. The underlying intention of creating QCAT was to combine 18 tribunals and 23 jurisdictions into one tribunal. The former Attorney-General and current Minister for Education would know all about QCAT. He said at the time—

The establishment of QCAT will provide Queenslanders with access to civil and administrative justice through a single gateway. Queenslanders will no longer have to negotiate the maze of administrative review bodies, tribunals and courts in order to identify where to seek redress.

We supported it at the time, but I have raised publicly my concern at the case load of QCAT. In the annual report that was tabled a couple of weeks ago by the president of QCAT, Justice Wilson indicated that there are some issues and that if the underresourcing of QCAT continues some of the mediation matters will have to extend out, which is not what we want. I do not think it is what the government wants; I certainly know it is not what the former Attorney and current education minister wants.

In terms of the cancellation of the teacher registration and the added jurisdiction of QCAT, I just want to make sure, through the education minister, what potential changes are likely in terms of the increase of the case load on QCAT and the further resources that have been allocated to the administration of QCAT. It is not saying that there are not, because I know in the explanatory notes the honourable Minister for Education set out the case that QCAT directly brought this to the government's attention—MacNeil v Queensland College of Teachers [(2011) QCAT 260]. It is not that QCAT will be given this extra jurisdiction for any purpose. It is something that QCAT certainly said they did not have the jurisdiction to deal with. I am seeking from the education minister how he suspects the QCAT case load to increase and whether the resources and administration of QCAT are being reviewed.

Just before finishing my contribution tonight and while on the topic of education, I want to say that we have some great schools in Queensland and we have great kids at our schools. The intention of the bill is to keep our kids safe and protected, and that should be the intention of everyone. On that note, I seek your indulgence, Mr Deputy Speaker, to mention that the Kawana Waters State College had a mock parliament last week. In that mock parliament, they debated some bills—just as we are debating bills tonight—and they passed a bill to ban homework, with the votes being 20 to one; there was one student who voted against that bill. They also debated a bill that would mandatorily require parents to not only drop their students off at school but drop them right at the door of their classroom. These were year 6 students at Kawana Waters State College. It is great that our kids are participating in a democratic process. As we debate bills here tonight that impact on their future and our schools, they too are starting the process of debating issues that at the time they think are quite important to them.

I finish by thanking the shadow minister for his contribution tonight. I thank the education minister for the amendments he has foreshadowed, which certainly do support the member for Moggill's contribution tonight. I look forward to the minister's clarification on the points that will be raised in the debate tonight.

Mr SHINE (Toowoomba North—ALP) (8.45 pm): I rise to speak in support of the Education and Training Legislation Amendment Bill 2011. As chair of the IETIR Committee, I tabled the committee's report on the bill on 7 November 2011, as required by the House. This is the second bill that the committee has reported on under the new committee system. I hope members have had an opportunity to review our report.

At the outset, I thank all of those who were instrumental in supporting the committee's examination of the bill, including all those who made submissions and attended the public hearing. These stakeholders greatly assisted the committee in its understanding of the quite complex provisions of the bill, as well as in the policy objectives and how they can best be achieved. It was particularly useful that submissions offered perspectives from those who would be required to implement the law, as well as those who would be affected by it in other ways. This ensured that a full and thorough examination of the bill was possible.

During the committee's consideration of the bill, members were briefed by, and able to ask a number of questions of, officers from the Department of Education and Training, DET. The committee greatly appreciated the forthcoming and detailed manner in which the department responded and we would have taken a considerably longer time to consider the bill without their assistance, particularly on the technical aspects of how both of the new reporting and teacher registration systems would work in practice. I thank them for their assistance.

During the inquiry into the bill, the committee received and considered correspondence from the Minister for Education and Training, the honourable member for Greenslopes, advising of amendments he proposes to make during consideration of the bill in detail in this House. The committee was pleased to note that the changes proposed either reflect the committee's recommendations about changes or address issues raised by stakeholders during the consultation process. This is a fine example of the committee system achieving with great success two of the aims it is intended to achieve—enhancing the ability of the Legislative Assembly to oversee and influence legislation and enhancing democracy by allowing greater citizen participation in the legislative process.

The committee has recommended that the bill be passed, subject to several amendments. These are, firstly, that the act define the terms 'sexual abuse' and 'likely sexual abuse'. Without definitions, the mandatory nature of the obligation to report poses risks to the following: to school staff in terms of their liability; to accused individuals, who may be accused of behaviour that is or is not subsequently considered to be sexual abuse, with the associated damage to public standing, health and finances that brings; to the child protection system, with a likelihood of over-reporting resulting; and to young people themselves, who may be reluctant to seek advice about personal and relationship issues from trusted school staff if they fear that a police report will result.

The need for a definition was unanimously expressed by all submitters who commented on this part of the bill, including the Queensland College of Teachers, the Queensland Law Society and all of the school representative bodies—QCEC, ACS and ISQ—along with all witnesses at the public hearing and all committee members. To define the terms is not part of the minister's proposed amendments as advised to the committee just before the committee's report was tabled. The minister might wish to consider these amendments now, in the context of having the committee's report available. In respect of the definitions and how a staff member will know what sort of behaviour they are required to report, the committee sees that training is vitally important if the bill is to achieve its objective of protecting children's wellbeing.

In its report the committee comments that the focus of training should be on that objective—protecting children by recognising signs of possible abuse, which implicitly requires there to be a definition of 'abuse'—as well as on the reporting process. The latter is, of course, also very important to achieving the bill's policy objective.

Secondly, the committee recommended unanimously that an eligibility declaration, which would be required of a person who had been convicted of a serious offence if they wanted to seek registration as a teacher at some point after that conviction, not be automatically revoked if the person was charged with another serious offence, as the bill currently proposes. The Queensland Law Society presented a very good case to this effect, focusing on the fact that at the heart of our criminal justice system is a presumption of innocence. The committee noted that the important thing here is to ensure that a person who might be a risk to a child is not working near children and that the current law, which sees a teacher suspended if they are charged with a disqualifying offence—and soon to be a serious offence under this bill—is sufficient to achieve that goal while still demonstrating the fundamental presumption of innocence until proven guilty. The teacher's registration would be cancelled automatically on conviction for a serious offence, as it is at present, and they would be required to go through the eligibility declaration process again should they wish to apply to teach again at some point in the future. The committee was very pleased to see the minister's proposal to amend this aspect of the bill and I strongly support this amendment.

Another fundamental principle is at the basis of the committee's recommendation No. 4—that of natural justice and the right to a review of administrative decisions as part of that. DET's advice is that the lack of a right of review or appeal in respect of a decision to refuse an eligibility declaration is justified because the law specifies clearly the factors that must be considered by the Queensland College of Teachers in reaching its decision and because judicial review is available. Submissions from the Queensland Law Society and the Queensland Council for Civil Liberties put the case that the breach of fundamental legislative principles that the lack of any right of appeal creates is not justified. Similar concerns were expressed unanimously by another committee of this parliament, the Legal Affairs, Police, Corrective Services and Emergency Services Committee, in response to a request from the Industry, Education, Training and Industrial Relations Committee for comment on the elements of the bill that interface with the criminal justice system. In essence, the decision made by the Queensland College of Teachers is a mandated one and the committee's recommendation for a right of appeal to the Queensland Civil and Administrative Appeals Tribunal, to which other Queensland College of Teachers appeals go, reflects the view that, in the spirit of natural justice and procedural fairness, a person refused the right to practise their profession should at least have the right to full consideration of their circumstances.

I turn now to the question of retrospectivity of the bill. The minister has advised the committee in correspondence published on the committee's web page that he intends to move amendments to ensure that the provisions of the bill in respect of teacher registration and lifetime bans for serious offences would apply irrespective of when the serious offence occurred. That would mean that a teacher who may have been teaching for 30 years without event would now have their registration cancelled and be required to apply for an eligibility declaration before they could reapply for teacher registration. This would obviously be very detrimental to a person's career as well as their finances and would, I assume, cause some considerable stress to the individual concerned.

The committee took particular note of the submission from the Queensland College of Teachers, which focused on the minister's proposal that the new law be amended to apply to currently registered teachers. The submission pointed out that, of the 10 registered teachers to whom the law would relate, six have already been assessed during the normal course of events, such as re-registration processes,

under guidelines that match the proposed eligibility declaration guidelines. All have been found suitable to teach by the college. A seventh was about to undergo that assessment, and I am not aware of the outcome, and the remaining three are not practising teachers. The college's submission stated clearly that its support for the bill to date was premised on it applying from now on and not retrospectively.

The Legal Affairs, Police, Corrective Services and Emergency Services Committee also raised this issue, inviting our committee to ensure that retrospectivity was considered carefully, given that the teachers concerned legitimately hold expectations regarding the current law. After careful consideration, the committee's view was that the amendment is probably necessary to ensure that the three non-practising but registered teachers are reassessed in terms of suitability to teach. Without the amendment they would be able to apply for teaching positions without undergoing any assessment as to their suitability to teach given that their registration is current. However, it seems unnecessarily onerous to require the seven practising teachers to go through the same assessment as they have already been through it. That is why the committee's recommendation is that they be required to show cause as to why their registration should not be cancelled, rather than have it cancelled automatically. With that proviso, the committee supports the proposed amendment.

Finally, I would like to raise an issue from my own perspective and that is that this law will apply only in Queensland. This leaves us with the question of how to ensure that teachers who are deregistered in one state do not simply move to another and teach there, particularly in the context of standardisation of education systems and teacher registration processes around the country. I will leave that one for the ministers for education around Australia to consider. Other elements of the bill—those around recognition of overseas schools and use of university land—were not, after consideration of the submissions received and separate research, considered problematic by the committee. I thank the research director and the support staff of the committee for their assistance, as I do the other members of the committee for their constructive contribution to the proceedings. I commend the bill to the House.

Mrs SCOTT (Woodridge—ALP) (8.55 pm): I rise to speak briefly to the Education and Training Legislation Amendment Bill 2011 and thank those who briefed the Industry, Education, Training and Industrial Relations Committee during the consideration of this bill. These are very difficult matters to deal with. I personally find it inconceivable that anyone would harm a child, even more so that they would sexually abuse a child and that the perpetrator could be one of the very people who has been trained to educate our children and who has been entrusted to be a role model in our society. It is widely acknowledged that most children idolise their teachers, particularly in primary school, and that in this age of parents working long hours, often both parents in the workforce, or in single-parent homes that parent similarly working long hours, our teachers often spend more hours with children than do their parents. I know that the huge majority of teachers have a great understanding of their responsibility and uphold the highest standards.

At this time of year members are very busy attending school awards and graduation ceremonies and what a pleasure it is to see the great results in our schools. That is often as a result of the relationship formed between teacher and student to encourage and raise expectations of performing to the very best of the student's ability. I have seen some remarkable turnarounds because of the dedication of teachers, mentoring and going the extra mile to assist their students.

Because of this close association that develops between a student and a teacher, sexual abuse is an abhorrent abuse of trust and it is clearly one holding power over another who is powerless. This bill strengthens the existing legislation by imposing more stringent reporting requirements. As it now exists, the legislation mandates that both state and non-state school staff must report suspected cases of sexual abuse by anyone employed at the school. However, this legislation takes this provision to a point at which, if it is suspected that a student has been harmed or that they may be at risk of harm, including sexual abuse, the person must report it immediately. Following this report the principal is then obligated to report the allegations to the police without delay.

Sadly, a nephew of mine in Victoria was sexually abused over a period of years, with very tragic consequences. The perpetrator was finally jailed for a number of years. However, there were many who for a time simply refused to believe the allegations, such was the reputation of the teacher.

I bring this to the attention of the House simply to say that it is sometimes very difficult to ascertain that someone may be at risk of being abused. Perpetrators such as this very carefully groom their victim but, more than that, they weasel their way in to become part of the family circle. It is an insidious crime, and the effects are felt throughout the school and the wider community and will take a tragic toll on the life of the young person. I believe that we now have a much stronger framework around educating our children about respect for their bodies and what is not appropriate.

This legislation also deals with the cancellation of a teacher's registration where a teacher has been convicted of an offence deemed to be a disqualifying offence and the person is sentenced to imprisonment. Other penalties, depending upon the severity of the offence, can include disciplinary action by the Queensland College of Teachers taken through the Queensland Civil and Administrative

Tribunal, which holds discretionary powers and can prevent a teacher from reapplying for registration for up to five years. The bill also provides for automatic cancellation of a teacher's registration when convicted of a serious offence, whether or not a jail sentence is imposed, by amending the Education (Queensland College of Teachers) Act 2005. Our teachers and students must be protected at all costs.

As a member of the parliamentary committee which scrutinised this legislation, I am aware of a number of possible amendments which may alter penalties and the ability of a person to seek to apply for registration, the appeal mechanism and so on. The bill has sought to avoid unintended issues such as a 17-year-old male who has been convicted of unlawful carnal knowledge of his then 15-year-old girlfriend, allowing for consideration of his application for an eligibility declaration. This is a decision for common sense.

In all of these deliberations the one constant is the protection of our children and the ability of our authorities to ensure persons who may harm a child are kept out of the profession. Teaching is a highly desirable profession for a person to aspire to. Teachers are highly trained, and many count it more as a calling for life. They have a unique place in our community, to help mould young lives and to influence our children and young people in a positive way. Teachers need to know that we maintain the highest standards within their ranks and guard against infiltration by anyone who may do harm to a child. This bill strengthens these safeguards, and I commend the bill to the House.

Mrs CUNNINGHAM (Gladstone—Ind) (9.02 pm): I rise to speak in support of the Education and Training Legislation Amendment Bill. As all previous speakers have said, and I am sure future speakers will say, everybody in this chamber and, indeed, the majority of people in the community want to protect our children at all costs. The member for Woodridge rightly said that it is reprehensible and almost beyond believing that people who are given the responsibility of children—whether that is parents, relatives, teachers or any other model in a child's life—would want to do them harm, but the reality is that it occurs and it occurs much more frequently than we would like.

In the past it has been mandatory for state and non-state school staff members to report suspicions that a student has been sexually abused by an employee of the school. This bill will require all staff, irrespective of their positions, to carry that responsibility. I do not think that is a problem. I can remember when we had the debate—I think Bob Quinn was the education minister at the time—about privatising cleaners in schools. It was recognised then that cleaners were the first people at the school of a morning and sometimes the last to leave in the afternoon and that for many schools they were the safe island in the school precinct and were able to watch what goes on, who is hanging around and where the children are when they are within the cleaner's purview. So it is the responsibility of everybody in a school, irrespective of their area of influence, to look after the little people who have been given to them for that day.

The bill also introduces the disqualification of teaching licences for offences that have not been covered in the past. A flaw in the legislation was found when a teacher was convicted of disposing of a body and several other offences. The offence of disposing of a body is not an acceptable one not only because of the action but also because of the thought pattern behind it. I think there are a number of offences other than harm to children—sexual abuse et cetera—that would, in a reasonable person's mind, disqualify a person from being a teacher. I certainly support that.

I have one concern, and I have to raise this concern carefully. I would not condone or support in any way anyone who would harm children. This legislation will require that all staff members report suspected child abuse and risk of sexual abuse, regardless of who the perpetrator is. So they have to report suspicions. I believe it is important that those suspicions, in the initial stages, are investigated sensitively. A person who has harmed a child needs to have the book thrown at them. I have no problem with that. But in those initial stages, it is important that the matter is investigated carefully and assessed genuinely before anything is said publicly, which will just annihilate the person's reputation. That would be my only word of caution. It is an easy allegation to make, in the sense that it takes only a few words to allege that a person has done the wrong thing to a child. It is a much harder thing to undo an unjustified and unproven allegation or, more importantly, a nonevent. So we have to handle this sort of allegation very carefully. I reiterate: if a person is guilty of that offence, I have no problem with the severity of the punishment that accrues to them.

I was pleased to see in the legislation that the College of Teachers has a limited opportunity to review the registration of a teacher where there are exceptional circumstances. In these sorts of circumstances there can always be issues of mitigation. It is important for a person who is in the situation of defending their livelihood to have an opportunity to present all the facts to the decision makers. Again I reiterate: I think every single one of us in this chamber would support the harshest of penalties being given to men and women who would abuse our children, and on that basis I certainly support those parts of the bill.

The bill also amends the Vocational Education, Training and Employment Act to replace terminology that could indicate that our TAFEs are for profit. The amendments are intended to put beyond doubt that TAFEs are not for profit. The staff of the TAFE in my electorate are currently going through a time of uncertainty because of the proposal to converge the Central Queensland University

and the TAFE institutes not only in Gladstone but also in Mackay, Rockhampton, Emerald and Biloela. Certainly, the teachers there have concerns in relation to their Public Service status, their security of employment and the terms of their employment. I have asked questions in relation to this, but to date the answers—the latest answer came only yesterday—have not given any comfort to the teachers in terms of their Public Service status.

I think most people in the community view TAFEs as an educational opportunity that is accessible and, in most cases—not in all cases—affordable. I think if anything this not-for-profit designation may go some way to defending affordable fees. I certainly hope that is the case, because there are many in my electorate—and I am sure there are many in other electorates—who could not afford $1,000 for a course but would be able to excel in a course of their choice. I support the legislation and thank the minister for the changes.

Mr DICKSON (Buderim—LNP) (9.09 pm): I rise to contribute to this debate on the Education and Training Legislation Amendment Bill. This bill seeks to achieve two things: firstly, to provide for the automatic cancellation of a teacher's registration for life when the teacher is convicted of a serious offence, irrespective of whether the person is sentenced to imprisonment; and, secondly, to extend the mandatory requirements regarding reporting by school staff of the sexual abuse of a student to include reporting where a staff member becomes aware or reasonably suspects a student has become or is likely to be sexually abused by any person. As it currently stands, sections 365 and 366 of the Education (General Provisions) Act place an obligation on staff in state or non-state schools to report suspected sexual abuse of certain classes of students where perpetrated by an employee of the school. The reporting obligation applies to the suspicion relating to children in the prep year, students under 18 years of age and students with a disability who are being provided special education.

Additionally, state schools are required to report harm or risk of harm to students by any person, including harm from sexual abuse, under operational policy. Non-state schools are also required to have policies about the appropriate conduct of their staff and the wellbeing of students in order for them to maintain their accreditation. It is incumbent upon the school to show a duty of care to students and to take all responsible steps to minimise the risk of harm. Currently, there is a delegation of duty to report sexual abuse under section 366 of the Education (General Provisions) Act that places an obligation on the director of a non-state school's governing body to receive reports from school staff members about alleged sexual abuse and to report the allegations to the police. Areas for improvement in the operation of this provision have been identified to ensure that such reports are made as efficiently as possible.

The Department of Education and Training named a court matter that highlighted such an area for improvement. The Industry, Education, Training and Industrial Relations Committee sought responses to a number of matters from the Department of Education and Training in relation to the Education and Training Legislation Amendment Bill. In particular, with respect to non-state schools the department was asked if there was any evidence to suggest that the directors are not realising their current operational obligations. The department answered, 'No.' The Department of Education and Training has no evidence to suggest that the directors or governing bodies of a non-state school are unaware of their current reporting obligations.

At this point, the department named a particular court case and it was further stated that the case had, indeed, highlighted some difficulties with the operation of this section. The court matter was publicly reported upon and highlighted the difficulties. A school principal appeared before the court. In his evidence, he said he had sought the advice of his immediate superior in the Catholic Education Office when told of a year 4 student's allegations against a teacher. It was reported that the principal had acted on the advice of his direct line manager and the student protection officer. Based upon that advice, the principal told the student's father that he was obliged to contact the Catholic Education Office and that the father had every right to go to the police.

However, the prosecution claimed that the principal's action in reporting the incident did not comply with that set out under the legislation. The prosecution further claimed that he should have provided a copy of his written report to the police. The principal's superior had been emailed a copy of the letter and the allegations made by the student had been given to his superiors, either verbally or in writing. The magistrate said that the principal had compiled with his reporting obligations under the section and had included all necessary allegations and particulars in his report. However, the magistrate said that a failure to report the sexual abuse allegations to the police was the offence in question. The magistrate found that it was the persons who received the report that must give written reports to the police. Accordingly, the magistrate found that the principal was not guilty of the offence. In part, this bill seeks to address any future similar matters arising from the magistrate's determination in that regard.

In part, clause 10(2A) of the bill states—

However, if the first person is the school's principal, the principal must give a written report about the abuse, or suspected abuse, to the police officer—

(a) immediately...

The bill also allows that a single director may, or in the case of multiple directors by the unanimous resolution of all of the directors of a non-state school governing body, delegate their duty to receive and make reports about the suspected sexual abuse of a student. However, the making of a delegation does not relieve a director from his or her responsibility to receive and make reports. I do note, however, that, in a letter dated 3 November 2011 from the minister to the chair of the committee, there is to be an amendment proposed to restrict directors of non-state school governing bodies from delegating their functions in relation to receiving and making reports about sexual abuse to a principal or other staff member of a school. Also, a staff member may choose to report to a director rather than the delegate if the delegate is the person the staff member suspects has perpetrated or is likely to perpetrate the sexual abuse. In that case, if a staff member chooses to report a matter to a director rather than a delegate, the director must still ensure that the report is forwarded to the police. However, it would be a defence for a director to prove that they took all reasonable steps to ensure their delegate complied with the reporting requirements.

Regarding the provision dealing with extending the mandatory requirements regarding the reporting of sexual abuse, within the bill clauses 9 and 11 expand the requirements regarding the reporting of sexual abuse to include reports about the likelihood of sexual abuse. It is arguable that these proposed amendments may breach the Legislative Standards Act in that it may not have sufficient regard to the rights and liberties of individuals.

A somewhat unenviable task for staff may be determining what is a reasonable suspicion. Forming a reasonable suspicion about the likelihood of sexual abuse is a subjective assessment. It is arguable that it might be difficult for individuals to determine when they must report. However, the notes accompanying the bill claim that this potential breach is justified on the grounds that all state school staff are currently subject to administrative reporting requirements to report risk of harm, including a risk of sexual abuse. Further, school staff members are provided with training on the implementation of the respective policies and teachers, in particular, are a professional class of people who are trained to observe relevant factors in children and to use analytical skills to form conclusions. That assertion may be all well and good, but this is going to need close monitoring. I submit that we could line up a group from any part of the community or profession and ask them what in their mind constitutes 'reasonable suspicion'. As with any such scenario, the answer would be very different across-the-board.

I note the bill intends to provide protection to people who report suspicions or concerns about the safety of children. I agree that adequate protection will make it more likely that individuals will act in the interests of children by reporting. Clause 9 of the bill states—

(8) A person who makes a report ... or gives a copy of a report ... is not liable, civilly, criminally or under an administrative process, for giving the information contained in the report to someone else.

The clause 9(9) states—

(a) in a proceeding for defamation, the person has a defence of absolute privilege for publishing the information; and

(b) if the person would otherwise be required to maintain confidentiality about the given information—

for some other legal reason—

... the person does not contravene the requirement by giving the information.

As we know, the act imposes criminal sanctions for failure to report relevant matters to relevant authorities. Therefore, the immunity clause reduces the potential for a person who fails to report a concern about the sexual abuse of a student from justifying their actions on the grounds that they would be liable for sharing information as required under the legislation

Proposed section 12M of the bill provides for the expiry of an eligibility declaration issued to an applicant if, after it is issued, the person is charged with a serious offence or becomes an excluded person. I note also from the minister's letter to the committee chair that an amendment is to be proposed to section 12M. This amendment proposes that it will no longer revoke an eligibility declaration upon being charged with a serious offence if the holder of the declaration is an approved teacher. The minister cites the reason for this amendment as being the adequacy of the current QCAT act for the protection of children in this situation. I am confident that there is not one person in this place who does not want to see any potential for harm to students being removed from places of learning. It is paramount that, as legislators, we do everything in our power to ensure that everything is done to protect our children from potential harm.

Ms JOHNSTONE (Townsville—ALP) (9.20 pm): I rise to speak in support of the Education and Training Legislation Amendment Bill 2011. This bill strengthens Queensland's teacher registration system by raising the standards expected of our Queensland teachers. The bill proposes that any teacher convicted of a serious offence, regardless of the sentence imposed, will have their registration cancelled. The bill will also ensure that persons convicted of these offences cannot, except in very limited circumstances, reapply for teacher registration.

Queensland was the first state to establish a system of registration for teachers when the board of teacher education was established in 1971. Over time, changes have been made to teacher registration with the most recent change being the establishment of the Queensland College of Teachers as the new registration body in 2006. This bill builds upon Queensland's already robust system of teacher registration by further raising the standards of the behaviour that we expect of our teachers.

From the outset I would like to acknowledge the excellent work that teachers do in Queensland classrooms every day. All of us can remember the positive impact that a great teacher has had on our lives. They are actually the foundations of the setting of an agenda for our kids to aspire to great things in their future.

We have some fantastic teachers and principals in the Townsville electorate currently who are an inspiration to their students and their school bodies. If I could take this opportunity to acknowledge the great work that Sandra Perrett at Townsville Central State School, Scott Stewart at Townsville State High School and Mrs Espig at Belgian Gardens State School are doing. These teachers and principals are all working hard every day to challenge their students and to make them accountable for the learning that they undertake. But, equally, they are challenging their colleagues and other counterparts to make sure they are providing the best quality of service to our students that they can. They really are doing a wonderful job. I take this opportunity to acknowledge them.

The vast majority of teachers are hardworking. They are dedicated professionals who have a vocation to their trade. They make a real difference in the lives of our children. The amendments in this bill will only affect the handful of teachers who commit the serious, heinous, sexual, violent and drug related offences that we all find abhorrent. I think all members would agree that, as a general rule, persons convicted of such offences are certainly not suitable to be teachers of Queensland's schoolchildren.

Currently, if a teacher is convicted of a serious offence, it does not always result in the automatic cancellation of their registration. In some cases it is necessary for the Queensland College of Teachers to apply to the Queensland Civil and Administrative Tribunal for a disciplinary order to have the teacher's registration cancelled. This bill will ensure that the teacher's registration is immediately cancelled upon conviction for a serious offence. The person will become an excluded person and will be prohibited from reapplying for teacher registration.

Although the bill sets a high standard for teacher registration, it also recognises that there can be mitigating circumstances. The bill allows persons convicted of a serious offence but not sentenced to imprisonment to apply for an eligibility declaration. If they are granted an eligibility declaration they can then make application for teacher registration. The process in the bill is modelled on the provisions of the Commission for Children and Young People and Child Guardian Act 2000 in relation to blue cards. The Queensland College of Teachers will be able to decide whether there are exceptional circumstances in which it would not harm the best interests of children to consider an application for registration from a person with a conviction for a serious offence. It is important to note that the bill prevents a person from seeking an eligibility declaration if they have been convicted of a serious offence and were imprisoned or subject to sexual offender reporting obligations.

I applaud this bill, which will prevent people who have been convicted of serious offences from entering the teaching profession. The community expects the highest standards from its teachers and this bill ensures that that will occur. I would just like to finish on a positive note and acknowledge the quality of teacher that we have in our state schools in particular. On listening to the rhetoric of those opposite you would think that the world is coming to an end and that the sky in this great state of ours is going to fall. The reality is that we have the best quality teachers in our state schools. My kids attend a state school. I am proud to put my hand up and say that they are getting the best quality education they can possibly get. My son is in year 3 in the state school system. He brings a little laptop home with him every night and does his computer work on it. My daughter is in grade 1 and she is getting the best support she can get in the state school system.

I am very proud to support this bill. We are raising the bar; we are setting the higher standards. We are a progressive government that is actually setting the agenda to ensure that Queensland kids are getting the best possible chance at life. I commend the bill to the House.

Mrs STUCKEY (Currumbin—LNP) (9.26 pm): I, too, rise to join the debate on the Education and Training Legislation Amendment Bill 2011, introduced into this House on 2 August by the Minister for Education and Industrial Relations, the honourable member for Greenslopes, and subsequently referred to the Industry, Education, Training and Industrial Relations Committee to report by 7 November. As a member of this committee, I wish to place on record my appreciation to Bernice Watson and her team. I would also like to thank the education department director-general, Julie Grantham, and departmental staff as well as everyone who made submissions with regard to the serious issue of the reporting of child sexual abuse. Members of the committee contributed significantly. During the final presentation of this bill, I would also like to commend the chair of our committee. I might add that this is a bill that created considerable debate—and so it should, for it is, indeed, a serious subject.

The primary objective of this bill is to protect Queensland children by amending the Education (General Provisions) Act 2006 to extend mandatory reporting requirements by school staff of child sexual abuse and risk of sexual abuse and, secondly, to amend the Education (Queensland College of Teachers) Act 2005 to provide for the automatic cancellation of teacher registration and lifetime bans on teaching for teachers convicted of serious offences. In addition, this bill proposes amendments to several acts that will enable universities to use land held in trust in more flexible ways than at present.

As my colleague the shadow minister for education and Torres Strait Islander partnerships, the honourable member for Moggill, has indicated, the LNP will be supporting this bill. Any form of sexual abuse of children is abhorrent and mechanisms designed to report existing or suspected abuse deserve the attention of legislators. Some sectors of the community are puzzled that this extension of mandatory reporting for teaching staff and school employees has not already been implemented, regardless of whether you attend a state or a private school. As a former paediatric nurse and also a former shadow minister for child safety, my contribution today will focus on provisions in this bill relating to mandatory reporting of sexual abuse.

In its examination of this bill, the committee called for written submissions until 15 September and held a public hearing on 12 October with key witnesses. A total of 14 written submissions were received from a variety of people ranging from Independent Schools Queensland to the Queensland University of Technology, UQ, the Council of Parents and Citizens' Associations, Catholic Education Commission, the Queensland Law Society, the commission for children and others. Witnesses at the public hearing were from the Queensland University of Technology, the Queensland Catholic Education Commission, Brisbane Catholic Education, Independent Schools Queensland and the Queensland Law Society.

According to the explanatory notes, this bill currently contains provisions for staff in state and non-state schools to report suspected sexual abuse of certain students when perpetrated by an employee of the school. In addition, state schools are currently required to report harm or risk of harm to students by any person.

The amendments proposed in this bill are an expansion of the existing reporting requirements. Under the bill, school staff members will be required to report suspected sexual abuse or risk of sexual abuse perpetrated or likely to be perpetrated by any person, not just an employee of the school. The bill will place obligations on principals to report directly to the police.

Submissions in respect of the child protection elements of the bill were all supportive of the bill's intent, but many raised concerns about practical implications, such as the definition of key terms such as 'sexual abuse', and the ability of school governing councils to delegate their obligation to report to police, and the balance between the two goals of protecting children and complying with fundamental legislative principles, in particular, the protection of individual rights and liberties.

It was noted that the lack of a definition of sexual abuse attracted a high level of commentary. The Queensland Catholic Education Commission stated in their submission that staff need a clear definition of sexual abuse so that appropriate training can be provided. The lack of such could also delay reporting or increase reporting of unnecessary and/or unsustainable allegations, causing sometimes irretrievable damage to the reputations of those accused. They also submitted that the proposal to require reporting of suspected risk of abuse was initially unanimously rejected by all stakeholders, and it is unclear why that position has been ignored. Instead of mandatory reporting of suspected abuse, this group suggest that training could be provided to staff to recognise 'grooming' behaviour and that the issue of 'grooming' behaviour should be addressed in existing policies and procedures.

The Catholic Education Commission also raised another problematic point with the proposed extension of reporting to a staff member, given that 'staff member' is not defined in the legislation and may encompass cleaners, groundsmen, tuckshop convenors, school officers or even volunteers. They state—

> People in these positions have not had the same training or opportunity to develop "expertise in monitoring changes in children's behaviour" and yet it is proposed to place the same obligation on them to make reports.

They drew a comparison to similar mandatory reporting requirements in the medical field, where the mandatory obligation is placed on the professionals—namely, doctors and registered nurses—and not on the medical reception staff or other hospital staff.

The Queensland Law Society do not support the bill in respect of mandatory reporting as it stands. They raised concerns about the lack of definition of 'sexual abuse' and 'likely sexual abuse' and the implications of this in terms of risk to students and legal risks to staff. In their submission they stated that research from jurisdictions with mandatory reporting shows that mandatory reporting does not work to protect children. They also argue that, due to the lack of definition of sexual abuse, young people are put at risk of being charged with sexual offences by the requirement to report abuse by 'another person'.

Another submitter, Independent Schools Queensland, had concerns around mandatory reporting requirements to include 'likely sexual abuse'. The ISQ submission stated—

Research into professionals who are legally required to report suspicions of child abuse and neglect confirm a number of difficulties in relation to frequency and accuracy of such reporting. It appears there is widespread professional ignorance of the law and procedures involved in reporting; the inability to recognise indicators of abuse; and reluctance to report because of perceived problems in the services available to the child.

They state—

The danger is that staff will report the smallest suspicion and thus overload an already overworked system; or will fail to report on the basis that predicting 'likely sexual abuse' is fraught with error.

As honourable members can see, there was some very interesting debate and presentations that the committee heard with regard to this bill.

The Queensland Law Society expressed a similar view at the public hearing that training could in fact raise the risk of overreporting, making school staff more vulnerable to expectations that they should recognise abuse or likely abuse, potentially opening them up to charges of failing to report.

ISQ believes the existing reporting requirements to the school principal or a board member are adequate and does not support the proposed amendments to broaden the delegation of reporting by the director of a non-state schools governing body to an 'appropriately qualified person'. ISQ states in its submission—

As the legislation now stands reporting requirements are clear. The report is to the school principal or to a member of the school board. A change to the legislation could result in, conceivably, any number of people deemed appropriate delegates. For example, a child protection officer, school chaplain, school counsellor etc.

ISQ argues that this will create less clear-cut lines, potentially increasing the risk to young people the more people are involved in the reporting hierarchy. ISQ states—

Independent Schools Queensland does not, however, believe that (1) extending reporting requirements to include 'risk of sexual abuse' or (2) changing the reporting guidelines to include delegates other than the school principal and board members, improves child safely. On the contrary, there appears to be potential for both of these changes to lessen the safety of young people.

In response to this issue, which was raised by the committee in its report, the minister has provided an amendment to clarify that a director of a non-state school governing board delegating their function to receive and make reports about sexual abuse may not delegate this function to a principal or other staff member of the school. Perhaps the minister would clarify with an example as to whom the director may delegate this function if it is not the principal or a staff member. I would ask the minister to address that in his reply.

It is good to see that the concerns of stakeholders have been taken on board and that the committee process is working in a positive way. However, despite the universal concern of submitters that the bill fails to define the term 'sexual abuse' and 'likely sexual abuse', it was disappointing to see that the minister did not see fit to include the definition of these important terms until now—or did he? Again, I ask whether the minister may like to clarify this in his reply.

In fact, the committee in its report concluded that this is a significant issue and that a definition of 'sexual abuse' and 'likely sexual abuse' is required to ensure the bill can achieve its intended policy objective of protecting the safety and wellbeing of young people. At the very least the definition should be consistent with those used in other Queensland government agencies and include 'grooming'. If the government is bothering to enshrine current practices into legislation, as it is doing with this bill, surely having legislative clarity over such important elements would assist teachers and those delivering their training with the practical application of this bill.

Dr Kerryann Walsh, Senior Research Fellow at the Faculty of Education at Queensland University of Technology, stated at the public hearing—

The training needs to be a lot more detailed in terms of what behaviours to look for. In recent times, particularly here in Queensland, we have focused on training teachers in the procedural aspects of reporting, which is very important, and we probably need to return now to teachers also understanding the warning signs and indicators and particularly about grooming behaviour.

This I am sure is certainly not a slight on teachers, who do an absolutely marvellous job under increasingly difficult circumstances. Moreover though, it exposes areas where improvement is warranted.

Whilst I was shadow child safety minister in the 52nd Parliament, highly upsetting cases of children sexually abusing others of a similar age in primary school led me to read a report from the British Columbia Ministry of Education. The minister mentioned this report earlier this evening and commented that there was already adequate training in place. However, information provided during our committee deliberations and briefings would suggest that more could be done. There may well be good training programs available, but it seems they are not as known as the minister would have us believe. The British Columbia comprehensive report offered practical models to assist teaching professionals to recognise children who exhibited sexualised behaviours in elementary schools and how to correctly report the situation.

Three tiers of behaviour were categorised, and they are as follows. In a normal range children will include actions such as showing private parts, playing doctor, looking at nude pictures, using dirty words, touching their own genitals and occasional masturbation in private. The second stage, where there is some cause for concern, includes peeking at others when told not to, attempting to expose the genitals of peers, having sexually explicit conversations with peers reflecting an adult level of knowledge, and a preoccupation with masturbation.

The third tier, which is cause for very serious concern—and I find it really shameful that some members opposite find this amusing, because it is this sort of behaviour that really does need to be noticed by our teaching professionals—includes making threats to force others to expose themselves, touching others' genitals with force, forcing others to view nude pictures or pornography, simulating intercourse with others with clothes off, and engaging in compulsive masturbation.

These tables describing particular behaviours are accompanied by response and reporting guidelines for each tier. They are simple to understand and clearly identify the types of behaviour to look for. Bravehearts have been pushing for several years to include mandatory reporting of sexual assault by teaching professionals. They report that schoolyard incidents are usually perpetrated by other children who are most likely to be acting out behaviours committed against them by adults or actions and/or inappropriate materials witnessed in their private lives. Children are naturally inquisitive. As part of growing up, they go through various stages of learning about their bodies. However, models such as the one in British Columbia's Ministry of Education would no doubt be a useful resource for teaching staff. Early detection and counselling can prevent further harm to children and curb negative behaviours.

I turn briefly to the provisions relating to the cancellation of teacher registration. The bill as it is presented will amend the Education (Queensland College of Teachers) Act 2005 to provide for the automatic cancellation of teacher registration when a teacher is convicted of a serious offence, irrespective of whether the person was sentenced to imprisonment. Further, the bill as is presented will prohibit any person who from commencement has been convicted of a serious offence from applying for teacher registration in Queensland.

In response to some of the committee's recommendations, a number of amendments have been circulated by the minister relating to these provisions. Amendments have been drafted to make the bill retrospective. As it stands now, the bill would only apply to teachers convicted of offences after the commencement of the bill. However, the minister's amendments provide that any person who has been convicted of a serious offence irrespective of the date of their conviction will be unable to apply for teacher registration or permission to teach or will have their teacher registration or permission to teach cancelled under the act.

It is understood that there are currently 10 teachers whom this retrospectivity would affect, some with convictions dating back to the 1960s. The QCT has concerns that it would be unfair to submit them to a process that they have already undergone, costing the individuals time and money and creating undue stress. The committee shared this view. However, it recommended that in respect of the minister's foreshadowed amendments to enable retrospectivity, a show cause process aligned with existing QCT and QCAT show cause processes rather than automatic cancellation of registration be adopted for teachers practising at the time of commencement of the amendments.

In the absence of any right to appeal decisions where an eligibility declaration to reapply for teacher registration is refused, the committee also recommended that clause 15 of the bill provide for a right of appeal to QCAT in respect of decisions by the QCT not to grant an eligibility declaration. This has been reflected in the amendments moved by the minister, meaning decisions by the QCT will now be able to go to QCAT for review. Each of us has a responsibility to protect children from harm, and this bill is an important step in that direction by strengthening reporting requirements.

Mr HORAN (Toowoomba South—LNP) (9.43 pm): I am pleased to speak to this bill, because I really agree with what it is setting out to achieve. At the outset I would like to congratulate the Industry, Education, Training and Industrial Relations Committee. Having been on the original committee review committee, I feel this committee exemplifies what this parliament through the committee review was trying to achieve, and that is that members of parliament could use their talents, they could scrutinise legislation, give outside groups or the community more opportunity to be involved in the legislative process through public hearings, and keep the minister and the department on their toes so that ministers know that legislation they bring into this House has to be up to standard and up to scratch. In this particular case, the committee has put forward some recommendations and they have been accepted. In particular, the one about the definition is very important. I think it is a good example of how that committee has been useful and has used the talents of those committee members.

In Toowoomba over the past couple of decades there have been two absolutely tragic cases that I want to refer to. It pleases me that this legislation is in place, because I think had it been in place before these particular events took place we well may have prevented some of the tragic and terrible things that happened to young students and their families.

Both the schools were great schools and today are great schools, but they have had to deal with a situation that was just terrible—a situation that I know their own school communities were absolutely ashamed of. It was a tragedy and a pity that the perpetrators were able to do what they did. Both schools were non-government schools. If you look back to those days, sadly, times were different. Look further back to what happened at Neerkol. I had a constituent in my electorate who was sadly abused as a child at Neerkol. To hear his stories makes you understand the heartbreak that he felt. He felt that he was deserted and had no-one to support him when these things were happening at that institution.

At the school in Toowoomba where the event happened in the late eighties, early nineties, I am sure that legislation such as this would have enabled anyone who had an inkling or a suspicion of what was happening to come forward and tell someone and feel that there was a clear line of reporting. I have always felt with hindsight that matters like this should go straight to the police. There should be no mucking around; go straight to the police. What we are dealing with is one of the worst crimes that could ever beset a young person or a family who has worked so hard to put their child through school and who had trust in the staff. It is also a terrible thing for the teaching profession and the supporters of these schools who believe in their school and who have been so hurt and let down by what has happened.

I mentioned that first case in the late eighties, early nineties. I think this legislation would have helped prevent that. Since then, there have been some systems put in place. At the second school where the second case occurred just a few years ago the system did not work. The reporting was made through the right process, and subsequent dismissals of people from the governing authority indicated that the system did not work. If it was simple and people could report a suspicion straight to the police, I believe that teachers and parents would be happy with that.

There is, of course, the issue of mischievous or vexatious reporting that can occasionally happen, perhaps more so in a secondary school. But I think all teachers and all parents believe it is far better to have an accurate, direct and instant system of reporting of these suspicions rather than risk these things not being brought to the attention of the police immediately. I think all of us in Toowoomba were appalled by the perpetrators at these two schools. I know the schools themselves were appalled, deeply hurt and offended that the trust that was entrusted by families in their schools was broken by these perpetrators. Despite the difficulties of occasional vexatious, mischievous or incorrect complaints, it is far better to consider in the first instance the most important issue, which is the young person at the school. If there is any risk at all, then this sort of legislation that can provide a very direct and very straightforward reporting to police is essential.

We are finally getting to a point whereby we can have greater confidence that there will be a system to immediately expose these lowest of criminals who are despised by all other good decent human beings and that we can provide trust and safety to our young students in schools. I am grateful that this legislation is going through the House. I am pleased that it appears that everybody in the parliament will support it. I trust and hope that it will make our schools, whether they are government or non-government schools, safe places for the young children of our state.

Debate, on motion of Mr Horan, adjourned.

MOTION

Suspension of Standing Orders

Hon. CR DICK (Greenslopes—ALP) (Acting Leader of the House) (9.50 pm), by leave: 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 a 30-minute adjournment debate.

Question put—That the motion be agreed to.

Motion agreed to.

EDUCATION AND TRAINING LEGISLATION AMENDMENT BILL

Second Reading

Resumed.

Hon. CR DICK (Greenslopes—ALP) (Minister for Education and Industrial Relations) (9.50 pm), in reply: I thank all of the members who participated in this debate and for their positive contributions to this bill. Of all the legislation that I have seen go through this House, this is probably one of the bills that has received the most significant amount of bipartisan support and I think that is because of the importance and the significance of the legislation, as it is focused principally around protecting children in schools.

This has been a very thoughtful debate and I want to thank all members for their contributions. In particular, I thank the member for Toowoomba North, who is the chair of the relevant committee, and the members for Woodridge and Townsville for their addresses tonight. I also thank the members for Moggill, Buderim, Gladstone, Currumbin and Kawana for their support of the bill.

As I said, this is an important piece of legislation. Through this bill, the Queensland government is taking steps to enhance the protection of Queensland students and to uphold the high standards of Queensland's teaching profession. The bill aims to provide Queensland parents and the community with the confidence that all possible action will be taken to keep our children safe from sexual abuse. As a society, we have to set the bar high when it comes to our children. The government has moved to boost the level of protection because our children deserve nothing less.

The member for Moggill raised the issue of university land use. It is one of the issues in the bill and he asked a specific question about that. The bill extends the time that universities can actually lease land and clarifies the purposes for which the land can be used. The current legislation restricts a lease period to 25 years and the bill extends it to up to 100 years, providing commercial certainty. The universities, however, will still be required to use the land for educational purposes. The bill does not allow a university to build a commercial enterprise, like a hotel, on its land.

The member for Kawana raised the issue of the impact of the bill on QCAT. The initial advice is that, in relation to that part of the bill that will require teachers to reapply for registration, we think there are only seven teachers concerned and the impact on QCAT would therefore be minimal. The member for Buderim spoke of an example relating to a non-state school use, and that highlights the need for these new laws. The nonreporting in that instance, relied on by the member for Buderim, was one of the reasons the government took action to strengthen the reporting of sexual abuse. I had a little bit of difficulty understanding the other points the member for Buderim was trying to make.

The member for Currumbin raised a concern about the difficulty for non-professional staff or non-teaching staff in schools to comply with the reporting requirements. The existing reporting requirements under the Education (General Provisions) Act 2006 apply to all school staff. This is necessary as the genesis of the provisions was to protect students against the cover-up of sexual abuse within schools. In the interests of child safety, the bill applies the expanded provisions to all school staff as well. It is important that all school staff remain vigilant in protecting children from harm caused by sexual abuse, and the government does not consider the reporting obligations to be an onerous burden. All state school staff, including non-professional staff, undertake student protection training. We will continue to support staff—as we do with all employees in the department—and ensure they are trained and supported and ensure they understand the law and their responsibilities under the law.

We do have the toughest laws relating to teacher registration in the country, and those laws are being strengthened to require the reporting of sexual abuse and suspected sexual abuse. I make no apologies for seeking to protect children in our schools. I am supported by my government colleagues and, it would appear, all members tonight in this move to strengthen that strong position we take in Queensland. I thank all honourable members for their contributions and for their support. I also thank departmental staff involved in the preparation of the bill. This has been a complicated bill in some ways to draft, and I thank the departmental staff for their diligence, including Stuart Busby, Amanda Dulvarie, Brett O'Connor, Chris Roney and Kateena Ryan, and for their work on the preparation of the bill. I thank a ministerial adviser in my office, Erin Fentiman, who has worked very thoroughly and diligently on this bill over many months.

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

Motion agreed to.

Bill read a second time.

Consideration in Detail

Clauses 1 to 6, as read, agreed to.

Clause 7—

Hon. CR DICK (Greenslopes—ALP) (Minister for Education and Industrial Relations) (9.57 pm): I move the following amendments—

1 Clause 7 (Amendment of s 364 (Definition for pt 11))

Page 8, line 9, '.''—

omit.

2 Clause 7 (Amendment of s 364 (Definition for pt 11))

Page 8, after line 9—

insert—

'***relevant person*** means a person mentioned in section 365(1)(a) to (c), 365A(1)(a) to (c), 366(1)(a) to (c) or 366A(1)(a) to (c).

sexual abuse, in relation to a relevant person, includes sexual behaviour involving the relevant person and another person in the following circumstances—

(a) the other person bribes, coerces, exploits, threatens or is violent toward the relevant person;

(b) the relevant person has less power than the other person;

(c) there is a significant disparity between the relevant person and the other person in intellectual capacity or maturity.'.'.

I table the explanatory notes to my amendments.

Tabled paper: Explanatory notes to Hon. Cameron Dick's amendments to the Education and Training Legislation Amendment Bill [5895].

Amendments Nos 1 and 2 provide for the insertion of a non-exhaustive list of the circumstances in which sexual behaviour would constitute sexual abuse for part 10 of the Education (General Provisions) Act 2006. That is the second amendment. I referred to it by way of an interjection in the debate to the member for Moggill, and the member for Moggill was kind enough to take one of my interjections for once, and I thank him for doing that. It provides a definition of sexual abuse which I think gives clarity and should give some confidence to members that it is not an open-ended area where staff in schools should be overly concerned. We have tried to make reference to those sorts of behaviours in certain circumstances that would connote sexual abuse as would be understood in a quasi-criminal sense. That makes it clear.

Amendment No. 1 in itself is a technical amendment to support amendment No. 2, which inserts the list. Amendment No. 2 inserts the non-exhaustive list of the circumstances in which sexual behaviour would constitute sexual abuse. The provision provides guidance about the circumstances in which sexual behaviour ought to be reported under the mandatory reporting provisions. The circumstances include where the student is the subject of bribery, coercion, threat, exploitation or violence; where there is an imbalance of power between the student and the other person involved in the behaviour; or where there is a significant disparity in the intellectual capacity or maturity of the student and the other person involved in the behaviour.

Amendment No. 2 also inserts a definition of the term 'relevant person'. This is a catchphrase used in the provision, providing clarification about the term 'sexual abuse'. It refers to the student who is the subject of the alleged sexual abuse or likely sexual abuse. So, hopefully, that will give some confidence to members who expressed some concern during the debate about reporting the risk of future sexual abuse. This amendment will give some context to staff members in schools, allowing them to appropriately report that sort of behaviour and the risk of it.

Amendments agreed to.

Clause 7, as amended, agreed to.

Clauses 8 to 10, as read, agreed to.

Clause 11—

Mr DICK (10.02 pm): I move the following amendment—

3 Clause 11 (Insertion of new ss 366A and 366B)

Page 13, after line 29—

insert—

'(4A) However, the director or directors must not delegate the function to the principal or any other staff member of the non-State school.'.

This amendment will prohibit the director of a non-state school governing body from delegating their obligation to receive and make reports about suspected sexual abuse to the principal or other staff member of the school. I should clarify that during the debate the member for Currumbin asked who the director can delegate to if not a principal, and the answer could be the executive officer in the central office of an education system, such as the Queensland Catholic Education Commission, for example, or the director of child protection in a school system.

Amendment agreed to.

Dr FLEGG: We supported the amendment that the minister made, which I think was called for by Independent Schools Queensland, among others.

Clause 11 refers to mandatory reporting. As a matter of clarification, the minister gave some detail in his earlier comments about the training that was offered to state school staff. I am not sure that what he said was totally consistent with the briefing that our committee had. So I ask the minister if he could clarify that training and confirm for the House that the training in relation to child protection, in particular child protection in matters of sexual abuse, is delivered to all staff—not just teaching staff but also all the other ancillary staff of the school.

Mr DICK: The short answer is, yes, that training is available to all staff in the schools and we pursue that to ensure that they will feel supported in what they have to do. We will reaffirm, with the passage of this legislation, that they are aware now of their expanded obligations and we will ensure that we engage with them. I have given an undertaking to the non-state system that we are very happy to share with them our training resources so that they can appropriately train and support their staff—both in the Catholic system and in independent schools.

Clause 11, as amended, agreed to.

Clauses 12 to 14, as read, agreed to.

Clause 15—

Mr DICK (10.03 pm): I move the following amendments—

4 Clause 15 (Insertion of new ch 2, pt 1A)

Page 15, lines 10 and 11—

omit, insert—

'person.'.

5 Clause 15 (Insertion of new ch 2, pt 1A)

Page 15, line 18, 'after the relevant commencement'—

omit, insert—

'or has been'.

6 Clause 15 (Insertion of new ch 2, pt 1A)

Page 17, lines 4 and 5—

omit.

7 Clause 15 (Insertion of new ch 2, pt 1A)

Page 21, lines 19 to 23—

omit, insert—

'12M Automatic expiry of eligibility declaration

'(1) This section applies to an eligibility declaration if—

(a) the holder of the declaration is not an approved teacher; and

(b) after the declaration is issued, the holder—

(i) is charged with a serious offence; or

(ii) becomes an excluded person.

'(2) This section also applies to an eligibility declaration if—

(a) the holder of the declaration is an approved teacher; and

(b) after the declaration is issued, the holder becomes an excluded person.

'(3) The eligibility declaration expires on the day the holder is charged with the offence or becomes an excluded person.'.'.

Amendment No. 4 deals with extending the eligibility declaration process to renewal and restoration of registration. Amendment No. 4 will ensure that a person who is issued an eligibility decision may apply for teacher registration or for permission to teach as well as a renewal of registration or permission to teach or restoration of full registration.

Amendment No. 5 will enable a person who is convicted of a serious offence prior to commencement to apply for an eligibility declaration. This is necessary because of the proposal to apply the cancellation of teacher registration provisions to persons convicted of serious offences prior to commencement.

Amendment No. 6 is a minor technical amendment identified by the Office of the Queensland Parliamentary Counsel. It deletes a definition of 'criminal history check fee'. That definition is being moved to the dictionary in the schedule of the legislation.

Amendment No. 7 ensures that a person's eligibility declaration does not expire upon a charge for a serious offence if the person to whom an eligibility declaration has been issued also holds a registration or permission to teach. I expanded upon that point in my contribution to the second reading debate. The existing process under the Queensland College of Teachers Act will apply in this situation to adequately protect children by immediately suspending the teacher's registration. If convicted, the teacher's registration is cancelled and they become an excluded person. If the person is not convicted, the Queensland College of Teachers must take disciplinary action at the Queensland Civil and Administrative Tribunal, which has the power to cancel their registration. Again, if this occurs the person becomes an excluded person.

However, where a person to whom an eligibility declaration has been issued does not also hold teacher registration or permission to teach, the bill will continue to provide for the expiry of a declaration upon the charge for the serious offence. The person would need to reapply for an eligibility declaration if the person wished to seek teacher registration in the future. This gives the Queensland College of Teachers the opportunity to consider the facts of the matter leading to the charge together with the person's previous criminal history to decide whether it is appropriate for the person to hold an eligibility declaration.

Amendments agreed to.

Clause 15, as amended, agreed to.

Clauses 16 to 30 negatived.

Insertion of new clauses—

Mr DICK (10.06 pm): I move the following amendment—

9 After clause 15

Page 21, after line 23—

insert—

'16 Amendment of s 14 (Application for registration or permission to teach)

'Section 14(10), definition *criminal history check fee*—

omit.

'17 Amendment of s 15 (Obtaining police information about applicant)

'Section 15(6A)(c) and (6B), 'disqualification order or'—

omit.

'18 Amendment of s 44 (Amending or replacing certificate of registration or certificate of permission to teach)

'Section 44(4)—

omit, insert—

'(4) In this section—

relevant notice means a notice under section 41(3), 42(2) or 43(3).'.

'19 Amendment of s 48 (Effect of charge for disqualifying offence, temporary offender prohibition order or interim sexual offender order)

'(1) Section 48, heading, 'disqualifying'—

omit, insert—

'**serious**'.

'(2) Section 48(1)—

omit, insert—

'(1) This section applies if, after the relevant commencement, an approved teacher is charged with a serious offence.

Note—

See also section 343 (Effect of serious offence charge before relevant commencement).'.

'20 Amendment of s 50 (Requirement to give notice of suspension)

'Section 50(2)(b)—

omit, insert—

'(b) the reasons for the suspension and the evidence or other material on which the suspension was based;'.

'21 Amendment of s 52 (When suspension ends)

'Section 52(a), '102,'—

omit.

'22 Replacement of ss 56 and 57

'Sections 56 and 57—

omit, insert—

'56 Cancellation in particular circumstances

'(1) This section applies if, after the relevant commencement, an approved teacher—

(a) is convicted of a serious offence; or

(b) becomes a relevant excluded person.

Note—

See also section 344 (Effect of serious offence conviction before relevant commencement).

'(2) The college must, as soon as practicable after it becomes aware of a matter mentioned in subsection (1), cancel the teacher's registration or permission to teach.

'(3) The college must immediately give notice to the teacher of the cancellation.

'(4) The notice must state that—

(a) there is no appeal under this Act or the QCAT Act in relation to the cancellation of the teacher's registration or permission to teach; and

(b) unless subsection (c) applies, the teacher can never be granted registration or permission to teach; and

(c) the teacher can apply for registration or permission to teach if the cancellation of the teacher's registration or permission to teach was under this section and any of the following apply in relation to the teacher—

(i) the conviction of the teacher for the serious offence is overturned on appeal;

(ii) the decision or order of the court resulting in the teacher becoming a relevant excluded person—

(A) is overturned on appeal; and

(B) was not made in relation to a conviction for a serious offence;

(iii) an eligibility declaration is issued to the teacher under part 1A.

'(5) A copy of the notice must be given to the employing authority for, and the principal of, each school at which the teacher is employed.

'(6) There is no appeal under this Act or the QCAT Act against the cancellation under this section of the teacher's registration or permission to teach.

'(7) In this section—

appeal includes review.

'57 Effect of appeal on cancellation

'(1) This section applies if—

(a) the registration or permission to teach of an approved teacher is cancelled by the college under section 56; and

(b) any of the following is appealed—

(i) the conviction of the teacher for the serious offence;

(ii) the decision or order of the court resulting in the teacher becoming a relevant excluded person.

'(2) The cancellation remains in effect during the appeal.

'(3) The person is no longer an excluded person in relation to the cancellation if—

(a) the conviction is overturned on appeal; or

(b) the decision or order—

(i) is overturned on appeal; and

(ii) was not made in relation to a conviction for a serious offence.'.

'23 Omission of ch 2, pt 6, div 4 (Disqualification order)

'Chapter 2, part 6, division 4—

omit.

'24 Amendment of s 69 (Requirements for disclosure of changes in police information)

'Section 69(3)(c) and (4), 'disqualification order or'—

omit.

'25 Amendment of s 75 (Commissioner of police must notify changes in police information)

'Section 75(1)(a)(iv), (3)(c)(iii) and (d), 'disqualification order or'—

omit.

'26 Amendment of s 80 (Requirement for prosecuting authority to notify college about committal, conviction etc.)

'Section 80(7)—

omit.

'27 Amendment of s 92 (Grounds for disciplinary action)

'(1) Section 92(1)(a)—

omit.

'(2) Section 92(1)(b), from 'because' to 'offender order'—

omit.

'(3) Section 92(1)(b), note, 'as mentioned in this paragraph'—

omit.

'(4) Section 92(2)(a)(i) and (ii), 'disqualifying'—

omit, insert—

'serious'.

'(5) Section 92(5), definition *dealt with*, 'in relation to a charge of a disqualifying offence,'—

omit, insert—

'in relation to a charge against a relevant teacher for a serious offence,'.

'28 Amendment of s 93 (Disciplinary matters)

'(1) Section 93(a)—

omit.

'(2) Section 93(b) and (c)—

renumber as section 93(a) and (b).

'29 Omission of s 94 (Show cause matters)

'Section 94—

omit.

'30 Amendment of s 95 (PP&C matters)

'Section 95(1)(a)(ii), 'section 92(2)(a), (b) or (c)'—

omit, insert—

'section 92(2)(a) or (b)'.

'30A Amendment of s 97 (Requirement for college to start disciplinary proceedings)

'Section 97(2)(a), 'show cause matter or'—

omit.

'30B Omission of ch 5, pt 2 (Show cause matters dealt with by QCAT)

'Chapter 5, part 2—

omit.

'30C Amendment of s 111A (PP&C committee may refer matter to QCAT)

'(1) Section 111A(1)(a), 'a teacher'—

omit, insert—

'a relevant teacher'.

'(2) Section 111A(1)(b)—

omit, insert—

'(b) if the ground is established—

(i) for an approved teacher—disciplinary action mentioned in section 160(2)(d) to (h) or (j) should be taken against the teacher; or

(ii) for a former approved teacher—disciplinary action mentioned in section 161(2)(b) or (c) should be taken against the teacher.'.

'30D Amendment of s 123 (Disciplinary action by PP&C committee)

'Section 123(2)(b)—

omit, insert—

'(b) refer the matter to QCAT if the committee believes—

(i) for an approved teacher—disciplinary action mentioned in section 160(2)(d) to (h) or (j) should be taken against the teacher; or

(ii) for a former approved teacher—disciplinary action mentioned in section 161(2)(b) or (c) should be taken against the teacher;'.

'30E Amendment of s 160 (Decision about disciplinary action against approved teacher)

'Section 160(2)(j), from 'teach for'—

omit, insert—

'teach for a stated period from the day the order is made or indefinitely;

Note—

See also section 350 (Decision about disciplinary action against approved teacher).'.

'30F Amendment of s 161 (Decision about disciplinary action against former approved teacher)

'Section 161(2)(c), from 'teach for'—

omit, insert—

'teach for a stated period from the day the order is made or indefinitely;

Note—

See also section 352 (Decision about disciplinary action against former approved teacher).'.

'30G Amendment of s 288 (Register of approved teachers to be kept)

'Section 288(5)(e)—

omit.

'30H Insertion of new ch 12, pt 13

'Chapter 12—

insert—

'Part 13 Transitional provisions for Education and Training Legislation Amendment Act 2011

'342 Existing applications by new excluded persons

'(1) This section applies if—

(a) before the relevant commencement, a person applied to the college for—

(i) full or provisional registration or permission to teach; or

(ii) the renewal of full registration or permission to teach; or

(iii) the restoration of the person's full registration that has ended; and

(b) on the relevant commencement, the application has not been decided or withdrawn; and

(c) the person is a new excluded person.

'(2) However, this section does not apply to an approved teacher mentioned in section 344(5).

'(3) The application is taken to be withdrawn.

'(4) The college must—

(a) immediately give notice to the person of the withdrawal; and

(b) refund each fee accompanying the application; and

(c) if the application is an application mentioned in subsection (1)(a)(ii) or (iii)—give a copy of the notice to the employing authority for, and the principal of, each school at which the teacher is employed.

'(5) The notice must state that—

(a) the application is withdrawn; and

(b) if the person is an eligibility applicant—the person may apply for an eligibility declaration under chapter 2, part 1A.

'(6) In this section—

new excluded person means a person who was not an excluded person immediately before the relevant commencement but is an excluded person on the relevant commencement.

'343 Effect of serious offence charge before relevant commencement

'(1) This section applies if—

(a) before the relevant commencement, an approved teacher was charged with a serious offence; and

(b) on the relevant commencement—

(i) the charge has not been dealt with; and

(ii) the teacher's registration or permission to teach has not been suspended under section 48.

'(2) The provisions of this Act as in force from the relevant commencement apply in relation to the teacher.

'(3) In this section—

dealt with, in relation to a charge against an approved teacher for a serious offence, means any of the following—

(a) the teacher has been acquitted of the charge;

(b) the charge has been withdrawn or dismissed;

(c) a nolle prosequi or no true bill has been presented in relation to the charge.

'344 Effect of serious offence conviction before relevant commencement

'(1) Subsection (2) applies if—

(a) before the relevant commencement—

(i) an approved teacher was convicted of a serious offence; and

(ii) the college was not aware of the conviction; and

(b) on the relevant commencement, the conviction has not been overturned on appeal.

'(2) The college must, as soon as practicable after it becomes aware of the conviction—

(a) cancel the teacher's registration or permission to teach; and

(b) comply with section 56(3) to (5) in relation to the cancellation.

'(3) Subsection (4) applies if—

(a) before the relevant commencement—

(i) an approved teacher was convicted of a serious offence for which an imprisonment order was made; and

(ii) the college was aware of the conviction; and

(b) on the relevant commencement, neither of the following has been overturned on appeal—

(i) the conviction;

(ii) the imprisonment order.

'(4) The college must, as soon as practicable after the relevant commencement—

(a) cancel the teacher's registration or permission to teach; and

(b) comply with section 56(3) to (5) in relation to the cancellation.

'(5) Subsection (6) applies if—

(a) before the relevant commencement—

(i) an approved teacher was convicted of a serious offence for which no imprisonment order was made; and

(ii) the college was aware of the conviction; and

(b) on the relevant commencement, the conviction has not been overturned on appeal.

'(6) The college must, as soon as practicable after the relevant commencement, comply with section 345.

'345 Show cause notice

'(1) If section 344(5) applies in relation to an approved teacher, the college must give the approved teacher a notice under this section (a ***show cause notice***).

'(2) The show cause notice must state the following—

(a) that the college proposes to cancel the registration or permission to teach (the ***proposed action***);

(b) that the college is required under this section to give the show cause notice;

(c) an outline of the facts and circumstances forming the basis for giving the notice;

(d) an invitation to the teacher to show within a stated period (the ***show cause period***) why the proposed action should not be taken;

(e) that, until the college issues an eligibility notice under section 347(2) or gives the teacher an information notice under section 347(3)—

(i) the teacher's registration or permission to teach continues; and

(ii) the teacher is not an excluded person.

'(3) The show cause period must be a period ending at least 30 days after the show cause notice is given to the teacher.

'(4) Until the college issues an eligibility notice under section 347(2) or gives the teacher an information notice under section 347(3)—

(a) the teacher's registration or permission to teach continues; and

(b) the teacher is not an excluded person.

'346 Representations about show cause notice

'(1) The approved teacher may make written representations about the show cause notice to the college during the show cause period.

'(2) The college must consider all written representations (the ***accepted representations***) made under subsection (1).

'347 Decision after considering accepted representations

'(1) The college must cancel the approved teacher's registration unless, after considering the accepted representations for the show cause notice and the matters mentioned in section 12F(2) to (4), the college is satisfied it is an exceptional case in which it would not harm the best interests of children for the proposed action not to be taken.

'(2) If college decides not to take the proposed action, the college must issue an eligibility declaration to the approved teacher.

'(3) If the college decides to take the proposed action, the college must give the approved teacher an information notice.

'348 Grounds for disciplinary action

'(1) This section applies if, before the relevant commencement—

(a) a relevant teacher's registration or permission to teach was suspended under section 48 because the teacher was charged with a disqualifying offence; and

(b) either—

(i) the charge was dealt with; or

(ii) the teacher was convicted of an offence other than an indictable offence.

'(2) Section 92 as in force immediately before the relevant commencement continues to apply in relation to the teacher.

'(3) In this section—

dealt with, in relation to a charge against a relevant teacher for a serious offence, means any of the following—

(a) the teacher has been acquitted of the charge;

(b) the charge has been withdrawn or dismissed;

(c) a nolle prosequi or no true bill has been presented in relation to the charge.

disqualifying offence see the Commissioner's Act, section 168.

'349 QCAT show cause notice given but not dealt with

'(1) Subsection (2) applies if—

(a) before the relevant commencement, QCAT gave a notice under section 101 to a relevant teacher; and

(b) on the relevant commencement, QCAT has not made a decision under section 102 or 103.

'(2) On the relevant commencement—

(a) the notice is taken to be withdrawn; and

(b) any disciplinary action started under chapter 5, part 2 is taken to be discontinued.

Note—

See section 344 (Effect of serious offence conviction before relevant commencement).

'350 Decision about disciplinary action against approved teacher

'(1) Subsection (2) applies if—

(a) before the relevant commencement—

(i) a general matter in relation to an approved teacher was referred to QCAT under section 97(2); or

(ii) a PP&C matter in relation to an approved teacher was referred to QCAT under section 111A(2) or 123(2)(b); and

(b) on the relevant commencement, QCAT has not made a decision under section 160.

'(2) Section 160 as in force immediately before the relevant commencement continues to apply in relation to the approved teacher.

'351 Referral to QCAT under ss 111A and 123

'(1) This section applies if, before the relevant commencement, a PP&C matter in relation to a former approved teacher was referred to QCAT under section 111A(2) or 123(2)(b).

'(2) Sections 111A(1)(b) and 123(2)(b) are taken always to have referred to disciplinary action mentioned in section 161(2)(b) or (c).

'352 Decision about disciplinary action against former approved teacher

'(1) Subsection (2) applies if—

(a) before the relevant commencement—

(i) a general matter in relation to a former approved teacher was referred to QCAT under section 97(2); or

(ii) a PP&C matter in relation to a former approved teacher was referred to QCAT under section 111A(2) or 123(2)(b); and

(b) on the relevant commencement, QCAT has not made a decision under section 161.

'(2) Section 161 as in force immediately before the relevant commencement continues to apply in relation to the former approved teacher.'.

'30I Amendment of sch 1 (Decisions for which information notice must be given)

'Schedule 1—

insert—

'347(3)	college's decision to cancel registration or permission to teach for a conviction for a serious offence'.

'30J Amendment of sch 3 (Dictionary)

'(1) Schedule 3, definitions *disqualification order*, *disqualifying offence, excluded person, relevant excluded person, review notice* and *show cause matter—*

omit.

'(2) Schedule 3—

insert—

'***accepted representations*** see section 346(2).

criminal history check fee means the criminal history check fee prescribed under a regulation.

eligibility applicant see section 12D.

eligibility application, for chapter 2, part 1A, see section 12E(1).

eligibility declaration see section 12B.

excluded person means a person—

(a) who is a relevant excluded person, other than a person mentioned in section 57(3); or

(b) who is, or has been, convicted of a serious offence other than—

(i) a person to whom an eligibility declaration is issued, and not revoked, under chapter 2, part 1A; or

(ii) a person mentioned in section 57(3)(a); or

(c) who is prohibited from reapplying for registration or permission to teach by a disciplinary order.

proposed action see section 345(2)(a).

relevant commencement means the commencement of the *Education and Training Legislation Amendment Act 2011*, part 4.

relevant excluded person means a person who is subject to—

(a) offender reporting obligations; or

(b) an offender prohibition order; or

(c) a CPOPOA disqualification order; or

(d) a sexual offender order.

show cause notice see section 345(1).

show cause period see section 345(2)(d).'.

'(3) Schedule 3, definition *disciplinary action*, '2 or'—

omit.

'(4) Schedule 3, definition *disciplinary order*, '2 or'—

omit.

'(5) Schedule 3, definition *police information*, paragraph (b)(iii), 'disqualification order or'—

omit.

'(6) Schedule 3, definition *serious offence*, '*Commission for Children and Young People and Child Guardian Act 2000*'—

omit, insert—

'Commissioner's Act'.'.

Mr DEPUTY SPEAKER (Mr Elmes): Order! There are 25 clauses in the amendment. In accordance with the motion passed by the House, I intend to call the clauses of the amendment. If any member wishes to speak to a particular clause of the amendment, will they please indicate.

Clauses 16 to 30J of the amendment, as read, agreed to.

Amendment agreed to.

Clauses 31 to 34, as read, agreed to.

Clause 35—

Dr FLEGG (10.07 pm): Clause 35 relates in particular to the changes for QUT land. I noted the minister's earlier comments that this bill would require universities to continue to use land held in this way for educational purposes, which to my knowledge is not the stated intention for the QUT site at Carseldine. I know that the site is being converted into offices for state public servants. I would ask the minister to clarify, in the light of his previous comments, if land is still required to be used for educational purposes, how this clause might apply to the Carseldine campus land owned by QUT and what further development he thinks would be permissible under the clause.

Mr DICK: Clauses 35 and 36 deal with the amendment to the Queensland University of Technology Act 1998. Clause 35 is an amending provision. Clause 36 is a substantive provision. Clause 36 has two distinct aims. Firstly, the clause will allow the Queensland University of Technology to lease land subject to an operational reserve or operational deed of grant in trust for up to 100 years. The university is currently limited to leasing trust land for 25 years. This amendment will increase the opportunities for QUT to enter into joint ventures with external entities to commercially exploit the university's resources. The private sector does not consider a lease of 25 years to be commercially viable.

'Operational reserve' and 'operational deed of grant in trust' refers to land dedicated or granted to QUT for a purpose other than a community purpose. An educational institution or technical college purpose is an operational purpose. QUT does not hold trust land other than for an operational purpose. Trust land held by other universities for community purposes, such as scenic or environmental purposes, will be subject to limitations under the act regarding leasing of trust land for a maximum of 30 years. Longer term leases over land held for community purposes are not considered appropriate.

Secondly, the clause also clarifies that where QUT holds land that has been dedicated as a reserve or granted in trust for a purpose relating to educational institution or technical college purposes, QUT may use the land to provide ancillary services for students and enter into arrangements to commercially exploit the land in accordance with its functions. So it is what is happening at the moment except extended, instead of 25 years, to 100 years.

Clause 35, as read, agreed to.

Clause 36, as read, agreed to.

Clause 37—

Dr FLEGG (10.10 pm): Clause 37 relates to education land held by the University of Queensland. Earlier in tonight's debate I started to feel a little bit comfortable—always a dangerous thing to do here—but following the minister's comments in relation to QUT which appeared, to my mind, to open the door to a wider range of commercial uses for education land held by universities, in relation to this clause, which deals with University of Queensland land, perhaps the minister could try to give us a bit more clarity about what sort of commercial uses he feels this clause is permitting. In particular, we would have some interest in the dental hospital site in central Brisbane near King George Square and the very large former University of Queensland veterinary farm site at Pinjarra Hills. From the minister's previous answer I take it that universities would have a pretty open door to a range of commercial and development opportunities—perhaps a bit more wide ranging than the original answer suggested.

Mr DICK: When university land is dedicated, it is dedicated generally under a trust, and the functions of the university are prescribed by legislation. So this aligns the purposes for which the land is granted under a deed of trust with the functions under legislation. So it brings consistency between those two things and expands, obviously, the period of time for which that land can be used.

Clause 37, as read, agreed to.

Clauses 38 to 49, as read, agreed to.

Third Reading

Hon. CR DICK (Greenslopes—ALP) (Minister for Education and Industrial Relations) (10.13 pm): I move—

That the bill, as amended, be now read a third time.

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

Motion agreed to.

Bill read a third time.

Long Title

Hon. CR DICK (Greenslopes—ALP) (Minister for Education and Industrial Relations) (10.13 pm): I move—

That the long title of the bill be agreed to.

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

Motion agreed to.

ADJOURNMENT

Hon. CR DICK (Greenslopes—ALP) (Acting Leader of the House) (10.14 pm): I move—

That the House do now adjourn.

Centenary Heights State High School, Flexi School; Toowoomba Base Hospital, Postpolio Clinic

Mr HORAN (Toowoomba South—LNP) (10.14 pm): At the recent Queensland education showcase awards, Centenary Heights State High School won a showcase award in the inclusive education section. This was for the achievement of running the Toowoomba Flexi School in the CBD of our city. This is a school for students who, for various reasons of disadvantage or misbehaviour, have been unable to continue at their previous school. The guidance officer at the school has tested each new student, and the average reading ability of Flexi year 10 students was assessed as equivalent to year 3. So it has been quite an achievement to bring these students to some of their outstanding results.

Flexi is an inspirational school. The students achieve so much whilst overcoming disadvantage. The staff are led by the principal of Centenary Heights, Maryanne Walsh; her deputy principals; the Centenary Heights leadership team and the principal of Flexi School. They have developed trust with the students and helped them to reach their potential. Toowoomba East Rotary Club and other supporters of Flexi School have given these young students the ability to achieve self-belief and opportunity. It really does add a true caring, humanitarian aspect to Centenary Heights State High School. In addition to the outstanding education, cultural and sporting achievements of the students at that school, they care so much for these other young students who do not have the same advantages as them and enable them to achieve in many cases their dreams and of course the showcase award.

I also want to speak on the need for a postpolio clinic at the Toowoomba Base Hospital. I have called for this for some time and have met with staff at the hospital about it. In the 1940s and 1950s, the incidence of polio on the Darling Downs was the highest in the state prior to the salt vaccine coming out in about 1956. Many of the people affected by polio then are now in their 60s and 70s and they suffer seriously from the very debilitating issues that resulted. A neurologist has been appointed and will be arriving at the hospital in 2012. What is desperately needed is a nurse coordinator to help put in place this postpolio clinic and to coordinate the necessary allied health. I would like to praise the work of Dr Peter Nolan, who has been able to see so many of these postpolio people and diagnose what they need. A postpolio clinic would not only help those suffering from the effects of polio in their youth but also help those with MS, epilepsy, motor neurone disease, spinal injuries and Parkinson's disease. I do hope that the Minister for Health can look at this matter. It is very important. It is very necessary and it will help those people who suffered so badly from polio in their childhood.

Trinity Bay State High School

Hon. D BOYLE (Cairns—ALP) (10.17 pm): I was very proud last week to join the teachers and some students at one of our pre-eminent public high schools in Cairns, Trinity Bay State High School, for the opening of the new science and language centre. This is a magnificent building—a very large building. It has been funded through, in the first instance, a tragedy. One of the old school buildings was burnt down several years ago. While there was some grief at the time, the school has turned that around and absolutely to the school's advantage for the future.

Through the reinstatement by the state government of many millions of dollars in response to that fire, added to by the National School Pride BER program to the tune of some $2 million from the Commonwealth government, and further added to under the Bligh government's State Schools of Tomorrow initiative, this school has put together this absolutely leading-edge science and language centre. I toured the centre and could see that not only do we have value for money but also the school, led by Principal Stephen Savvakis and the now Acting Principal Martin Woodcock, along with all the teachers, have taken the time to build this building with all the love, care and expertise that they have to offer. They have taken years to get it exactly right. They have for the government got value, by heavens, out of every dollar that has been spent, and they have delivered a building that the students of the school are proud of and clamouring to use.

For example, the science centres have the latest ICT and visual aids equipment. While a science teacher may be at the front of the classrooms demonstrating the dissection of a small animal, behind the teacher his or her actions are projected onto a screen so that the students can follow them closely. The school has a language centre. The school language speciality is Japanese and students will commence Mandarin studies next year. The week that I visited was Asian Week and some of the younger students were watching a demonstration of sushi making by one of Cairns's best Japanese chefs.

This is a spectacular building. Truly it is a school for tomorrow. While it would not have happened if it were not for the Bligh government, the Commonwealth government and the money that we put on the table, it would not have happened near as well if not for the leadership shown by the principal, the acting principal and the teachers of the school. Truly they have provided the children of west Cairns with a building and education for the future.

Katie Rose Cottage

Mr ELMES (Noosa—LNP) (10.20 pm): Katie Rose Cottage at Doonan in the Noosa electorate is a palliative-care centre established by the Sunshine Coast Community Hospice Ltd to provide support care to terminally-ill adults, children and their carers living on the Sunshine Coast. The cottage is set in the grounds of a former winery and is designed almost as an extension of a person's own home. It has been adapted to provide high-quality nursing support care to those who are no longer able to manage their final stage of life in their own home. Each of the rooms looks over beautiful garden areas that are constantly and carefully tended for the enjoyment of guests and each room adjoins another area for the use of family and friends.

Katie Rose Cottage operates with the support of a very small but extremely professional staff, together with a team of dedicated volunteers who number approximately 250, and this includes charity shops. Guests have a live-in, 24-hour registered nurse and, together with the all-important housekeeping, gardening and admin teams, this makes for a caring and committed home-like setting for those in their care.

The concept of palliative care has become the preferred option for those whose condition is incurable and who are in need of support to assist their pain management or their medicinal care during the final stage of their life. Palliative care eases the pressure and distress of carers and family members who struggle to come to terms with the impending loss of a loved one and who are desperate to ease their discomfort. Most importantly, palliative-care centres provide for children and young people who tragically, under normal circumstances, would either be kept in hospital or have no other option than to be admitted to a nursing home.

In practical terms, palliative-care centres alleviate the pressure on our hospitals. Over the past 18 months alone, at Katie Rose Cottage there were 810 bed nights with a total of 51 guests who stayed between one night and 45 nights. It is a sad fact of life that as our community ages the need for services such as those provided by Katie Rose Cottage will continue to increase. That is certainly the case with this facility, with a need clearly being seen now to duplicate facilities on the Sunshine Coast and elsewhere.

The cost to accommodate guests at Katie Rose Cottage is such that there are very significant savings for Queensland Health. As an example, New Zealand has 38 palliative-care centres; Queensland, with roughly the same population, has just three. The new government of the United Kingdom has signalled that one of its priorities is community based palliative care, and in Queensland we should take very careful note.

I congratulate Terry Clarke-Burrows and Sue Story, who had the foresight to establish Katie Rose Cottage. I ask the Minister for Health to take this information on board and give serious consideration to providing funding that will allow for the establishment throughout Queensland of palliative-care centres based on the Katie Rose model.

Building a Child-Friendly Community

Mrs SCOTT (Woodridge—ALP) (10.23 pm): The email read, 'Building a Child Friendly Community Consortium'. It was an invitation to a national conference being held at the Logan Entertainment Centre. I immediately closed off two days to attend and I was not disappointed. Speakers included the Reverend Tim Costello, CEO of World Vision; Associate Professor Geoff Woolcock, urban sociologist from Griffith University; Dr Penny Curtis, child and family health expert from the University of Sheffield in the United Kingdon; Dr Lance Emerson, CEO of the Australian Research Alliance for Children and Youth; Professor Karen Malone, Professor of Education at the University of Western Sydney; and Dr Sharon Goldfeld, paediatrician at the Murdoch Children's Research Institute. Those speakers presented thought-provoking material and, during meal breaks, stimulated much discussion between the many delegates from our local area and interstate, as well as our international visitors. Breakout sessions gave organisations the opportunity to present and discuss topics such as 'Through a child's eyes', 'A lifelong learning framework', 'Working with culturally and linguistically diverse communities', 'Safe from the start', 'Good talk strengthens hearts', 'Nurturing confident kids' and so much more.

However, what I was really proud of was my own community, particularly the organisations that had worked in collaboration to plan and arrange this significant conference. The seed of an idea was first planted by Geraldine Harris from our Communities for Children Program, which is run out of our Salvation Army Centre at Slacks Creek. As the idea grew, our local organisations grasped the vision and the Logan Beaudesert Child Friendly Community Consortium was formed.

The conference was most successful, but so much more planning is underway. A Child Friendly Community Plan 2011-2015 has been prepared with a number of working groups established. These groups are the Antenatal Wellbeing Group; the Family, Infants and Toddlers Group; the Health Promoting Schools Group; the Early Years Learning Community Group; and the Places and Spaces Group. This consortium is the mechanism for governance and decision making, for coordination and networking, and for skill and knowledge development in Logan-Beaudesert. Those details have been lifted from their brochure, which has been informed by UNICEF's child-friendly cities building blocks for applying the United Nation's Convention on the Rights of the Child.

If any community has the ability to influence change in this way, I believe that the Logan-Beaudesert group is uniquely placed to do so. We have all of the organisations necessary, but more important than that is the quality and dedication of the people within those organisations. They have passion and experience and, importantly, they have learned to work together. They share ideas and are focused, responsive and motivated by their strong care and devotion to what is a simply remarkable community where they can really make a difference.

Mining Communities, Housing

Mr JOHNSON (Gregory—LNP) (10.26 pm): I bring to the attention of the House a letter that appeared in the *Central Queensland News* on 4 November 2011. That letter was written by the Minister for Community Services and Housing and Minister for Women, the Hon. Karen Struthers. It is headed, 'We're trying to help folk stay in town'. However, I have to say that the minister is not trying hard enough. In the Central Highlands we have seen the social fallout resulting from the two-tier wage system because of the mining industry—

Government members interjected.

Mr JOHNSON: Members should sit back and listen for a minute. Those who work on the normal wage structure, earning $500, $600 or $700 a week, cannot afford $360 to $370 a week in rent. That is a deplorable situation. Tonight I invite the minister to come into the Central Highlands, especially to Blackwater, to see firsthand the deplorable situation in the camps where people who work in the mining industry live. The government can talk about the ULDA all it likes, but the Urban Development Land Authority is not doing enough to correct this problem.

In her letter, the minister talks about the state government's 2010 investment of $3.5 million in 45 affordable accommodation units in Moranbah. That is very good for Moranbah, but after they brokered the deal with the mining companies we saw 100 per cent fly-in fly-out arrangements. The same situation exists at Blackwater. It is about the fragmentation of the family unit, it is about the fragmentation of communities and it is about the fragmentation of what we stand for, which is trying to develop communities with the family unit as an integral part of the community.

Tonight I invite the minister to come to my electorate. I will give her a guided tour of Blackwater. She can see firsthand what is going on. She can meet with people in Emerald who are paying exorbitant rents and she can learn about the problems they are confronted with because they are not earning the big mining wages. Where is the social conscience of this minister and this government? This is a smack in the face to people who deserve a fair go. There is no fair go in this deal.

Energy Conservation

Mr CHOI (Capalaba—ALP) (10.29 pm): The Queensland state Labor government is committed to helping Queenslanders save energy, save money and save the environment. Population growth and an increasing desire to use energy-intensive appliances continue to drive up peak electricity demand. Seventy-four per cent of homes in South-East Queensland now have air conditioning. That is almost three times the figure from just 10 years ago. As a result, around 30 per cent of Energex's $8 billion network is used for only a few hours on the few hot days each year, and this is contributing to the increasing electricity cost.

Coming into summer, Energex is encouraging residents to use their power wisely, particularly between the peak hours of 4 pm and 8 pm. We can all work to reduce energy consumption around our houses. Switching off the beer fridge when it is not being used, using ceiling fans instead of air conditioning or setting air conditioning to 24 degrees, using low-flow shower heads and switching off appliances at the wall are just some of the ways that we can save on our bill.

On the weekend I joined *MasterChef* finalist Alana Lowes to take part in the Energex Positive Energy community event at Raby Bay Harbour Park. The event gave residents the opportunity to find out more about the energy conservation community and other ways they can help save electricity during peak times. As part of the event, Alana did a cooking demonstration and shared her top tips for reducing electricity use. This included making a great meal of beef skewers with chargrilled corn salsa to demonstrate how great cooking dinner on the barbecue can be, instead of using an oven or electric stove.

The day was also used to encourage residents to take part in the Redlands Energy Conservation Community. I was pleased to join the Premier to announce that last year. The ECC program encourages residents to use energy management technology for pools, hot-water systems and air conditioners and smart sustainability practices to reduce their energy consumption at times of peak electricity demand. For every household enrolment, a $50 donation is added to the PowerPact community partnership fund, which provides financial assistance to local community groups and schools. There are now 4,500 households and groups registered across five energy conservation communities in the Redlands.

This government has also taken measures to help Queenslanders who are doing it tough. It increased electricity rebates for households in the 2010-11 state budget. We have increased the total allocation for the electricity rebate for pensioners and seniors by some $12.6 million to $106.6 million, and have also introduced the new Medical Cooling and Heating Electricity Concession scheme. I encourage people to heed the advice to save energy during peak times.

Returned and Serving Soldiers; Chern'ee Sutton Art Exhibition

Mr MESSENGER (Burnett—Ind) (10.32 pm): I had an interesting conversation with Burnett parents Henk and Pam Rappard, who have a son serving in Afghanistan. After visiting America on holidays, Henk and Pam say that as a society we are not doing enough to support our troops who are serving overseas. Henk and Pam told me that Americans, on the whole, appear to appreciate, honour, respect and reward returned and serving soldiers more. They gave me three examples. The first people called onboard commercial aircraft are not first-class passengers but members of the American military. Portraits of soldiers who have been killed in action are prominently displayed on honour boards in large shops in their shopping centres. More people in America seem to be involved in providing care packages for their troops who are serving overseas.

I would like to see Queensland follow the example set in America. The first people called onboard Australian commercial aircraft should be serving members of our military. Portraits of our RAAF, Army and Navy personnel who have been killed in action should be prominently displayed on honour boards in our IGAs and local shopping centres. In order to set an example for the rest of Queensland, I will be writing to the Premier and asking her to give some thought to creating a similar honour board system for the Queensland parliamentary precinct. I invite all Queenslanders to contact their QCWAs and local RSL Legacy reps, who are actively involved in putting together Christmas care packages now.

Today I had the pleasure of being part of the opening of Chern'ee Sutton's art exhibition in the foyer of the Parliamentary Annexe. Chern'ee, who lives in the Burnett and attends Kepnock State High School, is a recognised descendant of the Kalkadoon tribe from Mount Isa. Every day she makes her parents, Craig and Judy Sutton, more proud. They are in the gallery today and I acknowledge them.

Honourable members: Hear, hear!

Mr Johnson: What a great little artist.

Mr MESSENGER: I take all those interjections from the members for Gladstone, Gregory and Nanango, who all appreciated her artworks. I would like to thank Aunty Carol Currie for welcoming us all to country as well as Aunty Lester and Aunty Diane, who live in Bundaberg and have travelled for six hours to join us. Mr Speaker, I would also like to thank you for accepting a magnificent work of art donated by Chern'ee for parliament. I thank all the members of this place and those people who came to support this amazing young reconciliation artist. I would like to thank the member for Maroochydore, who invested over $3,000 in one of the paintings. It is quite a good sale for the start of the exhibition. Of course, my wife also deserves a special thanks for all the hard work she did in organising the opening today.

Chern'ee Sutton's breathtaking work is made all that more extraordinary when you consider she has just turned 15, has been painting for only 1½ years and is self-taught. Chern'ee was NAIDOC Youth of the Year for the Wide Bay 2011 and she has a magnificent future ahead.

Beachmere State School, 25th Anniversary

Mrs SULLIVAN (Pumicestone—ALP) (10.35 pm): Last month I represented the Minister for Eduction, the Hon. Cameron Dick, at the Beachmere State School to commemorate its 25th anniversary and officially open the fete to help celebrate a quarter of a century of quality education for young Queenslanders. The school began with 176 students and now boasts 400. Special guests who were invited back to help celebrate the 25-year anniversary included the first principal, Mr Bob Visentin, the founding P&C President, Mr Don Allen, and the founding P&C secretary, Helen Seeto.

The idea of a fete to celebrate the anniversary was born two years earlier, when a small committee formed to discuss the idea for the milestone. The committee, comprising current P&C president Shelly Gregory; P&C vice-president at the time Kathy Scouller; P&C secretary Jody Hollinger; school principal at the time Lyn Squire; and past P&C president and teacher aide, Irene Collimore, had limited experience with preparing for a fete. However, other members of the school and the wider community were also invited to assist in the planning. Before long, Colleen Ehrlich, who is a recently retired teacher's aide and has a long association with the school as a parent as well; Mr Dick Bird from the Beachmere RSL subbranch; Paulie Buckman, P&C member; Di Carpenter, the school's business service manager; Fay Bond, current school principal; and Sandy Symes, the current school deputy principal, who filled in during the absence of the principal, joined the committee along with past P&C treasurer Kerri Curtis and current P&C treasurer Sharon Turner. Sponsors were sought and Beachmere Lions Club Inc., and many individuals; including Annette Quinn and Coralie Spence, and families, including the Dell, Scouller, Papasidero, Geldenhuy, Wellesley, Gregory, Tarry and Green families, donated time, money and prizes for raffles.

I have also been asked to thank local business sponsors: Beachmere News, BP service station, the previous owners of the IGA, the rugby league club, Beachmere Bakery, Beachmere Medical Centre, Morayfield Shopping Centre, Stratco Caboolture, Caloundra Chemist Warehouse, Kip McGrath tuition, Woolworths at Central Lakes, North Coast Foods, KFC, Cakes for Busy Mums and Brighton Select

Meats. The hard work paid off, and the school celebrations and fete were a great success, raising $6,000. The entertainment was terrific and the children's performances in their new $2 million Building the Education Revolution, BER, hall were first-class. Federal Labor government Senator Mark Furner was on hand to officially open the hall in the afternoon and he commented on how well the students performed. One parent remarked that it was wonderful to have a world-class facility that could properly showcase the children's talents.

One form of entertainment that I always avoid is the dunking machine. This is where you are expected to rise to great heights, sit precariously on a slim board above a large tank of water and watch in horror as someone tries to hit what I consider to be an enormous target with a bright red cross on it. You are simultaneously thrown into the water and become completely drenched. The principal of the Beachmere State School was not afraid. Fay Bond stared danger in the face and threw caution to the wind. As she reached the summit of the dunking machine, a large crowd gathered—in fact, a larger crowd than I had when I officially opened the fete. Fay suffered the fate that all good dunking machine participants suffer. She was drenched within two minutes and the crowd cheered. That is the type of person Fay is. She would do anything to support her school and she was a real trouper!

I take this opportunity to thank everyone who has had any involvement in the running of the Beachmere State School. It is a fine example of children getting the best education in Queensland from their school, which encompasses kindergarten right up to year 7. The locals should be proud of its achievements. It deserves continued support.

Manufactured Homes in Residential Parks

Mr SORENSEN (Hervey Bay—LNP) (10.39 pm): I would like to speak on a matter that was raised in parliament on 27 October by the member for Broadwater during questions without notice. The question related to what was being done to protect homeowners of manufactured homes in residential parks. I was amazed at the response from the Minister for Community Services and Housing. The minister said that the Bligh government will change legislation to protect mobile home owners from the extra fees that have been added to electricity bills by the unfair charging of administrative, service and meter-reading fees and that they were going to stop this unacceptable practice.

I would like to draw the attention of the House to the Queensland government's caravan park ready reckoner, obtained from the DEEDI website last week. I table that document.

Tabled paper: Copy of the Queensland government ready reckoner for the maximum charges to be applied in the on-supply of electricity to domestic customers [5897].

I also table a letter from DEEDI outlining how these on-seller charges were levied at a park.

Tabled paper: Letter, dated 31 August 2010, from Frank Walduck, Group Manager, Energy Sector Monitoring, Department of Employment, Economic Development and Innovation, to Lazy Acres Manufactured Home Owners Committee relating to the service fee charged by the Department of Housing and Homelessness Services [5896].

The on-seller charges were also investigated by the Ombudsman, and the letter says that this service charge is allowed under the Electricity Act 1994. This leads me to the point and the part that amazed me. This letter relates to a caravan and manufactured home park called Lazy Acres Caravan Park in Hervey Bay. Lazy Acres Caravan Park is owned by the Queensland government via the Public Trustee and the minister's own housing department.

Lazy Acres Caravan Park is now managed by Australian Tourist Park Management on behalf of the department. They have sent a letter to residents of the park dated 1 November 2011 saying that all fees in respect of the period from 1 March 2011 to that date will be refunded in coming weeks. Also, it advised that the minister will soon introduce laws to remove admin charges for on-supply of electricity and that, in the light of these changes, they will cease the practice of charging service point metering charges. I table that letter as well.

Tabled paper: Letter, dated 1 November 2011, from Haley Jacobi, Operations Coordinator, Australian Tourist Park Management, to The Resident, Lazy Acres Caravan Park, regarding electricity on-supply charges at Lazy Acres Caravan Park [5898].

The minister had previously advised me in writing on 22 May 2009 that the Public Trustee has delegated powers in relation to tenancy and property matters at the park to the department, the department of housing, and this letter was personally signed by none other than Minister Struthers. I table that letter.

Tabled paper: Letter, dated 22 May 2009, from Hon. Karen Struthers MP, Minister for Community Services and Housing, to Mr Ted Sorenson MP, member for Hervey Bay, relating to the Lazy Acres Caravan Park [5899].

Those who live in glass houses should not throw stones. The plot thickens. The minister also responded to this question by saying that they would change the Manufactured Homes (Residential Parks) Act, closing a loophole that saw park owners double-dipping—slugging pensioners and others on fixed incomes with additional fees and charges. The residents believe that the government has been double-dipping and slugging pensioners.

Barron River Electorate, Government Funding

Mr WETTENHALL (Barron River—ALP) (10.42 pm): Last week I represented the sports minister in officially opening new sporting fields at Kuranda District State College, made possible with Bligh government funding of $260,000. The fields adjacent to the junior campus of the college will be available for use by the community as well as the school and will encourage participation in those great sports such as rugby, soccer and cricket. I am sure that other sports and community events will come to be held on the field as well.

I thank all of those with whom I have worked over some years now to realise the vision for this asset including Queensland government officials, ministers, school staff, the Tablelands Regional Council and the school P&C, which contributed $20,000 to the project. Locating community sporting infrastructure on school land makes sense, and Kuranda District State College has blazed this trail—first with their popular community pool and now with these new sporting fields.

I also announced recently that our government would provide a massive boost for Indigenous housing in Kuranda. Some $3 million will be provided to upgrade 24 rental dwellings owned and managed by the Ngoonbi Cooperative Society and there will be $4 million to construct 15 new homes on land owned by Ngoonbi. An additional $5 million will be provided to construct up to 10 new homes at the Mantaka community, with a further $6.8 million to provide an additional 17 homes in the wider Kuranda community. I am immensely pleased to have secured our government's commitment to address housing need in Kuranda, and I thank Minister Struthers for supporting this effort with this historically significant investment that will create 42 new homes and refurbish 24.

Just down the mountain from Kuranda lies the Smithfield Conservation Park, home to the World Mountain Bike Championships in 1996—and it has been a popular mountain-biking spot ever since. Since 2006, I have worked with the Cairns Mountain Bike Club to support the development of the sport at Smithfield including finalising a lease over a section of the park to facilitate club activities.

Last week I announced that our government is providing $49,000 to the club to repair and upgrade selected tracks to support the growing popularity of both recreational and competitive mountain biking. Mountain biking through the woodlands and rainforests at Smithfield is an experience available nowhere else. It enjoys a reputation throughout Australia and internationally as a premier experience.

Mountain biking at Smithfield continues to grow in popularity with locals, and I believe Smithfield has enormous potential to stage national and international tournaments in the future. The economic benefits of such events to the local economy can be significant, so I will continue to lobby for more funding for further upgrades to the trail network.

(Time expired)

Question put—That the House do now adjourn.

Motion agreed to.

The House adjourned at 10.45 pm.

ATTENDANCE

Attwood, Bates, Bleijie, Bligh, Boyle, Choi, Crandon, Cripps, Croft, Cunningham, Darling, Davis, Dempsey, Dick, Dickson, Douglas, Dowling, Elmes, Emerson, Farmer, Finn, Flegg, Foley, Fraser, Gibson, Grace, Hinchliffe, Hobbs, Hoolihan, Hopper, Horan, Jarratt, Johnson, Johnstone, Jones, Keech, Kiernan, Kilburn, Knuth, Langbroek, Lawlor, McArdle, McLindon, Male, Menkens, Messenger, Mickel, Miller, Moorhead, Mulherin, 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