



# WEEKLY HANSARD

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## 51ST PARLIAMENT

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## WEDNESDAY, 8 MARCH 2006

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Mr SPEAKER (Hon. T McGrady, Mount Isa) read prayers and took the chair at 9.30 am.

### PRIVILEGE

#### Comments by Member for Cook

**Mr MESSENGER** (Burnett—NPA) (9.31 am): Mr Speaker, I rise on a matter of privilege. Yesterday morning in a parliamentary lift the member for Cook, Mr Jason O'Brien, swore at my fiancée and parliamentary spouse, Miss Tarni Stephens, in a manner that made her feel as if her physical safety was at risk. The first I knew of this incident was when the member for Cook approached me in the parliament yesterday during ministerial statements and indicated that he needed to speak with me about a serious matter. After question time and during MPI speeches, I approached the member for Cook in this chamber and had a private conversation with him in which the member related to me an incident when he shared a lift with my fiancée earlier that morning.

The member for Cook confessed to telling my partner—and, in the interests of parliamentary standards, I will abbreviate the word—to 'eff you' after she was heard to mutter under her breath 'freak' as Mr O'Brien exited the lift. Mr O'Brien half-heartedly apologised to me for his behaviour and I gave an undertaking that I would talk with my fiancée about the incident.

I have since spoken with my fiancée, and our conversation has left me very angry and concerned. My fiancée told me that she did mutter under her breath the word 'freak' as Mr O'Brien exited the lift on the 20th floor but only after the member for Cook had made fun of her in a loud, rude and aggressive manner as she attempted to unsuccessfully select the third-floor button. After Mr O'Brien exited the lift, my fiancée muttered the word 'freak' while she pressed the button to close the lift.

**Mr O'BRIEN:** I rise to a point of order, Mr Speaker.

**Mr SPEAKER:** What is the point of order?

**Mr O'BRIEN:** The member is misleading the House. He is not speaking the truth. I find his words offensive and I ask that they be withdrawn. It is not true.

**Mr SPEAKER:** Will you withdraw those comments? Member for Burnett, I suggest that you write to me with the full details of the incident from your point of view and I will make judgement then.

**Mr MESSENGER:** Mr Speaker, the member for Cook has not offered my fiancée an apology and I refer the matter to you—

**Mr SPEAKER:** Order! The member for Cook came to see me yesterday, and I said that if it was raised in the parliament today by you I would ask you to put it in writing so that we can study the complaint. So I am asking you now: will you do that?

**Mr MESSENGER:** Yes, I will follow your direction, Mr Speaker.

**Government members:** Withdraw!

**Mr SPEAKER:** Order! Will you withdraw that part of your speech which the member found offensive?

**Mr MESSENGER:** I withdraw, Mr Speaker.

### MEMBER FOR ASPLEY, EMAIL

**Mr SPEAKER:** Order! Honourable members, I have received correspondence from the member for Moggill concerning the release of an email that had been inadvertently sent to the wrong address. According to the member, the email sent from his electorate office may have contained at the bottom the standard notice sent from any parliamentary email account. That disclosure notice provides, in part—

This e-mail and any attachments are confidential and only for the use of the addressee. If you have received this e-mail in error, you are strictly prohibited from using, forwarding, printing, copying or dealing in anyway whatsoever with it, and are requested to reply immediately by e-mail to the sender ... Any views expressed in this e-mail are the author's, except where the e-mail makes it clear otherwise. The unauthorised publication of an e-mail and any attachments generated for the official functions of the Parliamentary Service, the Legislative Assembly, its Committees or Members may constitute a contempt of the Queensland Parliament.

According to the member, when it was discovered that the email had inadvertently been sent to the wrong address—the Aspley electorate office—a follow-up email was dispatched to the Aspley electorate office explaining the error and requesting its deletion and disregard. On 2 March 2006 the attachments in the original email and the second email asking for the original email's deletion and

disregard were tabled in this House by the Minister for Health. I emphasise that my only function is to determine whether a matter of privilege arises. There are some scenarios where the release of an email could constitute a contempt. The release of a parliamentary committee's correspondence containing the proceedings of the committee in contravention of standing orders is one example. But I am convinced that no matter of privilege arises in the matter before me.

Whilst irrelevant to the outcome, it is important to note that inquiries by the Clerk have revealed that the standard notice only appears on external email—that is, email external to the parliamentary computer network. The standard notice would not appear on emails sent from one parliamentary address to another parliamentary address. Therefore, it is highly unlikely that the standard notice was on either of the emails sent from the Moggill electorate office to the Aspley electorate office. The fact is irrelevant to the issue of privilege but important to note for the record. I have therefore decided not to refer the matter to the committee. I will take no further action in respect of this matter.

## PETITION

The following honourable member has lodged a paper petition for presentation—

### Inskip Point

**Miss Elisa Roberts** from 2,564 petitioners requesting the House to ensure that the recreation area at Inskip Point devoted to camping not be reduced; consideration is given to increasing the camping area to alleviate crowding problems; and a consultative committee be formed to assist in planning future changes.

## NOTICE OF MOTION

### International Women's Day

**Hon. D BOYLE** (Cairns—ALP) (Minister for Environment, Local Government, Planning and Women) (9.37 am): I give notice that I will move—

That this House—

- Recognises that 8 March marks International Women's Day and notes the Queensland government is celebrating this important day under the theme of *Women—Striving for a peaceful society*;
- Honours the significant contribution and achievements of women through the generations taking action towards peace across communities all over Queensland.

## MINISTERIAL STATEMENT

### Queensland Skills Plan

**Hon. PD BEATTIE** (Brisbane Central—ALP) (Premier) (9.38 am): The *Queensland skills plan* white paper is an extensive package of initiatives which will strengthen our vocational education and training sector to meet the 21st century needs of industry, and it will create important skilled jobs for Queenslanders. I have much pleasure on behalf of the state government in tabling that paper for the information of the House. In essence, it fast-tracks apprenticeships to skill more Queenslanders, it streamlines and strengthens the TAFE system, it will create 14,000 extra training places by 2010, it invests heavily in the statewide network of training providers and it builds partnerships with industry. Because this is so important, I have asked for copies to be distributed to all members of the House.

Last year the Queensland government began the most comprehensive review of the state's vocational education and training system in over 40 years. This was our first step in tackling head-on the challenges presented by skills shortages across the nation coupled with the changing skills needed for Queensland industries now and into the future.

What resulted was the green paper on skills reform, which contained a range of proposals to create a contemporary training system capable of providing those skills to keep Queensland moving forward. More than 1,700 employers, industry and union leaders, teachers, apprentices and other Queenslanders provided responses to the green paper's proposals. Their views were considered in the development of what is a groundbreaking white paper on skills reform. That is what I have tabled for the information of the House. I thank all those people for their valuable contributions. In particular, I thank the minister for employment and training, Tom Barton, for the leadership role he has played.

The input from so many employers and community members reflects the significant contribution that vocational education and training makes to a robust economy. Queensland is the engine room with work already well underway on \$55 billion in projects under our 20-year South East Queensland Infrastructure Plan. What we need is the skills and the workforce to deliver that plan. That is what this white paper is all about. Importantly, the Queensland government is also skilling the workforce for tomorrow and catering for that growth, and providing important jobs and opportunities for Queenslanders.

As I said earlier, today I am pleased to table this government's eagerly awaited white paper, the *Queensland skills plan*, which will bring significant changes to our vocational education and training system. The plan is far reaching—\$1 billion worth of investment in Queensland's future. The reforms to be implemented under the *Queensland skills plan* will ensure we are able to build a training system that gives young Queenslanders entering the workforce the skills that industry needs. It will provide opportunities for existing workers and older workers so they can update their skills and continue to make a valuable and productive contribution to the workforce.

Over the next four years, \$801 million will be provided in recurrent funding with an additional \$303 million in capital funding to be provided over the next six years. This includes \$542 million in new recurrent funding and \$222.7 million in new capital funding. The wide-ranging reforms that result will improve the way TAFE institutes deliver training and foster stronger partnerships with private training providers, industry, communities and unions.

To help address urgent skills shortages in the traditional trades, apprentices will be able to become fully qualified tradespeople in a shorter time. That is based on Queensland's already established competency based training system. While the apprentices will be able to qualify sooner, we will make certain that their skills and qualities are maintained. This, in essence, is fast-tracking to ensure that we have the skills for today and tomorrow to build the infrastructure we need for today and tomorrow.

From 2007, up to 80 per cent of the state's apprentices in the building and construction industries are expected to fast-track their apprenticeships and reduce the time taken by up to six months. Importantly, safeguards will ensure that there is no compromise in the quality of training.

There are many exciting changes and opportunities in the Queensland Skills Plan that will ensure the Smart State continues to lead the nation with one of the most flexible and innovative education and training systems in Australia. There will be \$159.39 million over four years invested in the apprenticeship system. We are establishing a Trade and Technician Skills Institute to develop training products and deliver them in the key areas of automotive, building and construction, manufacturing and engineering, and electrical and electronics industries. The institute will provide training in the Brisbane metropolitan area from the major campuses at Acacia Ridge on the south side and Eagle Farm on the north side. It will also provide trade training through regional TAFE institutes in Cairns, Bundaberg, Gladstone, the Gold Coast, Ipswich, Mackay, Maryborough, Mount Isa, Rockhampton, the Sunshine Coast, Toowoomba and Townsville-Thuringowa and from other sites throughout Queensland. Pre-vocational training and some initial elements of trade apprenticeships, where appropriate, will continue to be offered from local sites.

The Queensland government will invest \$19.32 million over four years to develop more robust structures and processes for engaging and partnering with industry to addressing the formation of skills. This will include establishing three new centres of excellence in manufacturing and engineering, building and construction, and energy. In addition, five industry skills alliances will be established in industries that require an ongoing and structured approach to industry engagements and skills formulation. Industry skills alliances are proposed for tourism and hospitality, health and community services, sport and recreation, automotive and the creative industries sector. Twenty-three new skills formation strategies will also be developed across a range of industry and regional areas.

The TAFE system will also be streamlined and strengthened under these sweeping reforms. Southbank TAFE in Brisbane will be renamed the Southbank Institute of Technology and will have responsibility for a range of associate degrees, university pathways and articulation arrangements.

A new Australian Resources and Infrastructure Institute of Technology will be established at Central Queensland TAFE to address skills development for the further growth of Queensland's resources sector—mining, electricity, gas, water and the environment—and also for infrastructure such as roads, rail, ports and other major civil construction sectors.

The six TAFE Queensland institutes in the Brisbane metropolitan area will be reorganised into a South Brisbane Institute of TAFE, comprising the current Yeronga, Moreton and Logan TAFE, and a North Brisbane Institute of TAFE, comprising Brisbane North TAFE and the Open Learning Institute, which will continue to lead distance education throughout Queensland.

There is a new bush works strategy for Queenslanders living in rural and remote communities. This will provide skilling and employment opportunities, and include specific initiatives for young people.

In releasing the *Queensland skills plan* today, the state government is raising the bar higher and, accordingly, investing more than \$1 billion very wisely. Queensland has set the national benchmark for vocational education and training. We are again matching words with action and results.

We have 1,500 additional Queenslanders every week. We have to ensure that they are skilled to not only get the job opportunities but also to build a new Queensland. That is what this is all about—it is about dealing with growth and ensuring that we are building tomorrow's Queensland today.

I encourage all honourable members to take the time to read the *Queensland skills plan* and to help in its implementation so that the next generation can take carriage of the Smart State of the future.

## MINISTERIAL STATEMENT

### Taxation Reform

**Hon. PD BEATTIE** (Brisbane Central—ALP) (Premier) (9.46 am): I wish to highlight that in the area of tax our reforms will produce a number of significant changes. By the time all of our announced reductions and abolitions are in place—this is in terms of tax reform—in five years time, the cumulative savings will have risen to more than \$6.1 billion. This equates to a saving of \$1,547 per head of population. Our tax reforms have meant that since my government has been in office Queenslanders pay less tax.

I notice that the Prime Minister was on ABC Radio this morning bragging that the federal government would be in negative net debt by the end of the financial year. We have been in negative net debt in Queensland since 1994. My government has the best track record in the country of managing the economy. That is why we are able to deliver on skills.

I want to make it clear to all Queenslanders that our sound economic management has led to Queensland being the engine room of Australia. I seek leave to incorporate the details in *Hansard*.

Leave granted.

Since my government was elected just over seven and a half years ago we have presided over a thriving economy and business, industry and community continue to reap the rewards.

We are streets ahead of the rest of the nation in all major economic indicators.

People continue to move here in droves to enjoy our wonderful lifestyle and capitalise on the many growth opportunities offered in the Smart State.

However, this growth and good fortune has not happened by accident.

My Government has a better track record on economic management than any other State or territory in the country.

This is not rhetoric—it is a cold hard fact.

In both difficult and buoyant times we have kept a consistent and steady hand on the tiller.

We have created thousands of new jobs, improved services and made record investments in infrastructure, education, research and innovation.

We have invested on average more than \$5.5 billion a year into the State's capital program—more per capita than any other state in the nation.

We have increased spending on health by 64% or \$2.1 billion, education by 55% or \$2.3 billion and welfare and housing by 139% or \$800 million.

And these figures do not even include our announcements since the Budget including the ground breaking \$6.4 Billion Health Action Plan.

This investment alone is the largest amount of money ever pumped into the Queensland public health system.

One of our biggest achievements has been to undertake this record increase in services and infrastructure while still maintaining one of the most competitive tax systems in the world.

This financial year Queenslanders are expected to pay \$1,708 per capita in taxes compared to an average of \$2,135 per capita for the other states and territories.

We have cut payroll tax, property taxes, insurance duties, debits tax, land tax, lease duty, credit card duty, credit business duty, hire duty, and mortgage duty.

In fact total cumulative savings to taxpayers since 1998-99 are a whopping \$881 million.

On a per capita basis this equates to a saving of \$127 per head for every Queenslanders this year—certainly more than a hamburger and a milkshake.

By the time all of our announced reductions and abolitions are in place in five years time the cumulative savings will have risen to more than \$6.1 billion.

This will equate to a saving of \$1,547 per head of population.

Our Government has increased services and infrastructure spending to record levels while maintaining a strong economic base that stimulates investment and growth.

We have reduced taxes, increased thresholds—making sure the tax system is fair and competitive for all Queenslanders.

Compare that to the alternative. An Opposition that could not even manage an office budget and now struggle to manage themselves.

## MINISTERIAL STATEMENT

### International Women's Day

**Hon. PD BEATTIE** (Brisbane Central—ALP) (Premier) (9.47 am): Today we celebrate International Women's Day. I am pleased to be able to inform the House that women in Queensland have much to celebrate this year. More than 55 per cent of our university graduates are female. The Queensland parliament is also a source of good news. Queensland is leading all other states and the Australian parliament in this regard. Thirty of the 89 seats in this parliament are held by women; that is 33.7 per cent. Female members of parliament constitute 27.8 per cent of the Australian parliament,

28.1 per cent of the New South Wales parliament and 30.3 per cent of the Victorian parliament. I seek leave to incorporate details in *Hansard* as a tribute to women.

Leave granted.

Clearly we still have some way to go—our parliament will not be truly representative until half of all the people in this place are women.

Only the Northern Territory and the Australian Capital Territory have higher percentages of female Members of Parliament than Queensland.

My Government recognises the importance of harnessing the talents of female Members of Parliament in the ongoing development of Queensland.

Of the 18 Ministers, the five female Ministers in the Queensland Government make up 27.7% of the Ministry.

This compares with 23.8% in NSW, 35% in Victoria and just 16.7% at the Federal level.

Queensland is doing well, but we need to continue to find ways to encourage women in politics and help them gain the skills and experience for the top roles.

Although only 23% of Senior Executive Service positions in the Queensland Public Service are held by women, there are encouraging signs that this will improve in the near future.

51% of middle management positions in the Queensland Public Service, that is, Administrative Officer Level 6 and above, are held by women. This exceeds the target of 35% set for 2005.

Last year we celebrated the 100 year anniversary of women's right to vote in Queensland.

It's high time all Queensland organisations broke down the last barriers preventing women from having equal opportunity in positions of influence and leadership.

Queensland is a smart state and it's getting smarter by using women's talents in leadership and decision-making.

## MINISTERIAL STATEMENT

### Coal Industry

**Hon. PD BEATTIE** (Brisbane Central—ALP) (Premier) (9.48 am): In terms of the Queensland coal industry, I wish to highlight that it continues to boom in response to increasing world demand. In recent times we have seen announcements on expansions at a number of existing coalmines such as Dawson-Moura, Ensham, German Creek, Hail Creek, Newlands, New Acland and Wilkie Creek.

This industry is going from strength to strength and we are building the infrastructure across the state to support this industry. There is already a considerable amount of investment committed—about \$1.2 billion—across a range of transport infrastructure with another \$3 billion or so being planned, subject to future demand and commercial underwriting. Queensland Rail, for example, is working to increase capacity of its coal network from around 145 million tonnes per year to around 200 million tonnes per year by around 2009. In the same time frame, Abbot Point coal terminal is looking to increase capacity from 15 million to 21 million tonnes, Dalrymple Bay coal terminal from 55 million to 68 million tonnes, Hay Point from 34 million to 44 million tonnes and Gladstone from 44 million to 68 million tonnes.

It also timely to mention that the public comment period for the Queensland Rail northern missing link project closes on 3 April. This important project will link the northern Goonyella and Newlands rail systems and increase the number of northern Bowen Basin coal mines that can export through Abbot Point. I seek leave to incorporate the details in *Hansard*.

Leave granted.

We have also seen announcements regarding the proposed development of new mines, such as Clermont, Kogan Creek, Lake Lindsay, Olive Downs and Sonoma.

A number of new mines such as Broadmeadow Underground, Rolleston and Minerva have also recently commenced production and shipment of coal and the Millennium, Poitrel, Carborough Downs/Broadlea and Isaac Plains projects are under construction.

In fact, there is increased activity right across the coal mining areas of Queensland.

Of course, this growth can only happen if we have the capacity to transport coal from the mines to Queensland ports for export to the world.

There has been considerable investment by our government, miners and infrastructure providers—particularly for rail and port—to ensure this strong industry growth is able to be met.

There is already a considerable amount of investment committed—around \$1.2 billion—across a range of transport infrastructure, with another \$3 billion or so is being planned for, subject to future demand and commercial underwriting.

Queensland Rail, for example, is working to increase capacity of its coal network from around 145 million tonnes per year, to around 200 million tonnes per year by around 2009.

In the same timeframe, Abbot Point Coal Terminal is looking to increase capacity from 15 to 21 million tonnes; Dalrymple Bay Coal Terminal from 55 to 68 million tonnes; Hay Point from 34 to 44 million tonnes; and Gladstone from 44 to 68 million tonnes.

It also timely to mention that the public comment period for the Queensland Rail Northern Missing Link project closes on April 3.

This important project will link the Northern Goonyella and Newlands rails systems and increase the number of northern Bowen Basin coal mines that can export through Abbott Point.

I am satisfied that there are appropriate levels of planning across all sectors to meet changing and challenging market circumstances in our booming coal industry.

## MINISTERIAL STATEMENT

### St Joseph's Festival

**Hon. PD BEATTIE** (Brisbane Central—ALP) (Premier) (9.50 am): I want to pay tribute to the St Joseph's festival at New Farm. St Joseph's will be holding this special event on Sunday, 19 March. The festival is attracting other multicultural groups to attend. I congratulate it for that. I seek to have details incorporated in *Hansard*.

Leave granted.

Members of Brisbane's newest refugee communities are invited this year to join with members of the Italian community at their annual St Joseph's Festival at New Farm in my electorate on Sunday, March 19.

The Festival usually attracts about 15,000 visitors and is supported by a \$10,000 Queensland Government grant.

This year, the organisers have extended an invitation to new refugee communities to join the festivities and participate in the festival.

I would like to congratulate organisers, Casa Italia, for sharing their festival with our newest refugees from countries such as Somalia, Sudan, Ethiopia, Liberia and Sierra Leone.

Mentoring can play a vital and successful role in assisting new Queenslanders to learn about, and become part of, our community.

I look forward to this year's festival as it is always a great event and this year's festival promises to be even bigger and better.

## MINISTERIAL STATEMENT

### Queensland Skills Plan

**Hon. TA BARTON** (Waterford—ALP) (Minister for Employment, Training and Industrial Relations and Minister for Sport) (9.50 am): This is a historic day for Queensland's vocational education and training system. The Queensland Skills Plan establishes the opportunity, as well as the plan, to create a contemporary training system capable of providing the skills that industry tells us it needs, especially in new and emerging fields. There is so much good news here that I almost do not know where to begin.

Over the years, Queensland's TAFE system has successfully produced an increasing number of apprentices and trainees in the face of climbing demand arising from the state's economic success. We have record numbers of apprentices and trainees in training and have done so now for 20 successive quarters. We now have 50 per cent more apprentices and trainees in training than we had five years ago. It is important to note that Queensland's numbers are climbing while Australia's are falling. However, despite the inroads made, skills shortages persist, and changes need to be made to modernise both our vocational education and training and TAFE systems.

The Queensland Skills Plan contains significant reforms to TAFE which will allow Queensland TAFE institutes to play an even more important role in the delivery of world-class training. The state's private training sector and industry will also have a critical role to play. To develop leading-edge skills in critical areas, three centres of excellence will be established for the energy, manufacturing and engineering, and building and construction industries.

A new trade and technician skills institute will lead statewide product development and delivery for training in the areas of automotive, building and construction, manufacturing and engineering and electrical/electronics. Training places will also be increased. The Queensland Skills Plan provides for an extra 17,000 trade training places and an additional 14,000 high-level training places to be available each year by 2010. Those places will begin to come online this year.

Both public and private training providers will play crucial roles in the delivery of trade training. As the Premier has already mentioned, apprenticeship training times will be reduced. Sixteen construction apprenticeships will benefit from the introduction of a new concept for apprenticeships—expected durations. This allows for the earlier completion of the apprenticeship once the apprentice is fully qualified, building on Queensland's competency based training framework, already recognised as leading the nation.

The Queensland Skills Plan provides our state with the means to create the training system to produce the highly skilled workforce that Queensland needs. However, the state government cannot do it alone. We need to work with employers, private training providers, unions and the community to better address our current skills shortages and skills needs for the future.

## MINISTERIAL STATEMENT

### Queensland Skills Plan

**Hon. AM BLIGH** (South Brisbane—ALP) (Deputy Premier, Treasurer and Minister for State Development, Trade and Innovation) (9.53 am): This government is committed to working with industry to increase Queensland's pool of skilled workers, and that commitment is reflected in the *Queensland skills plan*, a white paper to be released later this morning by my colleague the minister for employment



and training. The white paper has been developed in close consultation with industry representatives who, I can tell members, have been active in lobbying me and my department on this very important issue.

This is a big step forward in seriously addressing Queensland's skills shortage and it could not be more pertinent than to announce the moves today, on International Women's Day, in an era when more and more women are moving into non-traditional areas of employment. I am pleased to advise the House that women have made big inroads in apprenticeships as well as areas like science, technology and biotechnology.

Since 1994, the number of women taking up apprenticeships has grown from 2,900 to the current total of 4,200. That is a 40 per cent increase. On International Women's Day, I am happy to say that I am pleased to be part of a state government that is creating more opportunities, more jobs and more equality for women than any other state in this country. The jobs growth for women in Queensland under the Beattie government since 1998 stands at 27.3 per cent, clearly the runaway leader of all states. Our closest rival is South Australia, where growth over the same period was 22.8 per cent.

In real terms, what that means for Queensland women is that 191,700 jobs have been created for women since this government came to office. As I speak, approximately 893,000 women and 1.1 million men have jobs in Queensland. This means that women currently comprise 45 per cent of our Smart State workforce. While this government continues to provide unprecedented opportunities for women in Queensland, we are still not yet at the stage where women are proportionally represented in areas of leadership and decision making. In 2004 women made up only eight per cent of members of private sector boards across Australia and 32.7 per cent of representatives on public sector boards and committees. Only 10 per cent of barristers in Queensland are women while 20 per cent of Queensland school principals are female.

However, our Smart State Strategy also continues to work outside of the traditional square by encouraging women to move into non-traditional areas such as the science and technology spheres. This government has granted access to more choice in jobs and better paid jobs for women, opening up a range of opportunities within industries that were barely a glimpse on the horizon only a decade ago. We intend to continue to keep doing it.

## MINISTERIAL STATEMENT

### Health Action Plan

**Hon. S ROBERTSON** (Stretton—ALP) (Minister for Health) (9.56 am): For the past several months, the Beattie government has spearheaded an intensive campaign to recruit more clinical staff to Queensland. Both interstate and overseas doctors and nurses have been targeted to overcome the shortage in our public hospitals. When we released our \$6.4 billion health action plan we set ourselves an ambitious target to recruit an additional 300 doctors, 500 nurses and 400 allied health professionals in 18 months.

We are well and truly on track. In fact, we have exceeded my original expectations. As I indicated to the House yesterday, an update on our health action plan progress has been completed and has been posted on the Queensland Health web site in the interests of openness and transparency. What the progress report will tell Queenslanders is this. We said we wanted to recruit an extra 500 nurses to our hospitals in 18 months. In less than half that time we have got an extra 811 into our system. With our allied health professionals we said we wanted to recruit an extra 400 in 18 months. In less than half that time we have 298 more. We are 75 per cent of the way there. Finally, we had a target of recruiting 300 doctors in 18 months. In less than half that time we are 190 up on our starting point. We are 63 per cent of the way there. Hopefully the recruitment success will keep rolling on.

Already this year, 109 new doctors from interstate and overseas have been registered with the Medical Board of Queensland and have accepted jobs at public hospitals in metropolitan and regional areas across the state. Their medical credentials have been thoroughly scrutinised by the board and, having met the requirements of our registration system, they are now cleared to practise medicine in Queensland. The Medical Board of Queensland requires a full disciplinary history, called a Certificate of Good Standing, from each and every jurisdiction where applicants have trained or practised. This is the toughest registration system in the country and it will ensure that all doctors practising in Queensland meet the highest standard expected by the public.

Queensland Health's Work For Us recruitment drive has also been fruitful, with more than 1,280 expressions of interest received from doctors, nurses and allied health professionals from overseas and interstate during the past six months. So far, 87 of those who lodged expressions of interest have been appointed, have commenced employment or are in the process of being appointed to Queensland Health. A further 211 applications are currently being considered.

All of these figures make an absolute mockery of the nonsense being dribbled out by those opposite that no-one wants to work in Queensland. We are now paying our workforce extremely competitive salaries, transforming our public health system and improving the workplace culture in Queensland Health. That is why clinical staff are coming to Queensland in droves.

Those opposite are not interested in solutions. They do not want us to rebuild the system because they are embarrassed by the failure of the Howard government to train enough doctors here in Australia. They do not want to admit that their tory colleagues in Canberra have let Queenslanders down by not providing enough medical places in our universities. Instead, they are only interested in inventing crises and undermining public confidence in our health system, as we have seen this morning. The Beattie government, in contrast, is getting on with the job and working for a better health system for all Queenslanders.

## MINISTERIAL STATEMENT

### Electricity Infrastructure

**Hon. RJ MICKEL** (Logan—ALP) (Minister for Energy and Minister for Aboriginal and Torres Strait Islander Policy) (9.59 am): Yesterday I outlined to honourable members the massive multibillion-dollar investment that will occur over the next five years in capital expenditure on Queensland's electricity distribution network. This investment will continue to improve the reliability and capability of the Queensland distribution network. The work and the projects that result from this huge investment will be driven by people. At this juncture I want to acknowledge the excellent work of the people from both Energex and Ergon Energy. These are the people who are out in the elements or in call centres in the middle of the night striving to ensure the best possible power supply for the community.

This year so far in the Energex area alone in south-east Queensland we have endured 26 significant storm events, compared to 17 during the entire season last year. Other areas have experienced upwards of 50 storms in recent months. I am advised that in one single storm event in Brisbane in December last year there were 23,000 lightning strikes. Across the whole of the state the total number of lightning strikes for December 2005 was a massive 314,665. That followed 110,877 in October and 229,212 in November. All of these events have required a massive effort from the people of the electricity corporations, and they have delivered.

Queensland's government owned electricity distributors have been undertaking a massive recruitment campaign to ensure that they have the people on the ground to keep driving these great efforts and this tremendous infrastructure development. Both Energex and Ergon Energy have significantly boosted staff numbers in the past 18 months. There are now more than 7,000 people across the state directly employed by the two organisations working to provide a high-quality service to Queensland's electricity consumers. Energex and Ergon Energy have between them employed more than an additional 1,000 employees. This includes an additional 160 apprentices and 339 field staff hired by Energex. Ergon Energy has boosted its direct workforce numbers by 500. It has been one of the biggest recruitment campaigns happening in Australia at the moment.

This investment by Energex and Ergon Energy in staff numbers is necessary if they are to implement the massive infrastructure plans for Queensland's electricity distribution network. That work cannot happen without people on the ground to make it happen, and this tremendous boost in staff numbers will ensure that it does happen. Both organisations have also boosted training and development programs to increase the skill levels of existing staff. Energex has recently completed two rounds of overseas recruiting to help address an acknowledged worldwide shortage of qualified technical staff. Sixty of 105 international candidates who have accepted positions have already started with Energex.

I welcome these new recruits because they will be joining us in taking Queensland successfully and safely into the future. However, I have to question the role played by the federal government that has led us to this state of affairs. The federal government has clearly fallen down on the job. It has fallen asleep at the wheel and has done little for years to ensure that the nation retains a healthy pool of skilled tradespeople. Now that Australia, and particularly Queensland, is going through booming development, we simply do not have the skilled people at hand to carry out the work that needs to happen. The whole issue has been soundly ignored by the federal government and now we need to recruit overseas. Nevertheless, we are taking on some of the world's best—complementing the hiring of qualified local staff and recruits from interstate—to ensure we can maintain our networks, drive the massive infrastructure planned for this state and provide the highest possible service to Queensland's electricity customers.

## MINISTERIAL STATEMENT

### Women in Prisons

**Hon. JC SPENCE** (Mount Gravatt—ALP) (Minister for Police and Corrective Services) (10.04 am): Today the Anti-Discrimination Commission is releasing its report into women in Queensland prisons. This review and consultation, which took some 18 months, did not identify a single instance of discrimination by the Department of Corrective Services on the basis of gender. When I became minister I undertook a process to review and reform aspects of the department's operations which occurred through the department's business model review, legislative review and offender programs and services reform agenda. These began before the commission started its review. As a result, the department has already identified, addressed or has begun addressing many of the matters noted in the commission's report.

While the department welcomes the commission's report—and I table the department's response today—it does not accept the report or its recommendations in their entirety. Indeed, there are areas where the department believes that the commission has simply got it wrong. Women are incarcerated at a much lower rate than men. There are around 350 women in prison in Queensland compared to nearly 5,000 men. The commission claims that there are very few serious violent offenders. Of the 315 female inmates currently in the two secure women's prisons, 151, or 48 per cent, are in for violent offences including murder, torture, rape and indecent dealing.

The commission has recommended that the highest priority be given to the interests of children in determining the placement of their mothers serving full-time sentences. The department allows some women to have children with them in jail up to the age of five, if it is in the best interests of the child. The department works closely with the Department of Child Safety in ensuring the best interests of the children are foremost in the decision making relative to accommodation of children with correctional centres, access arrangements and service provision.

All women in Queensland's prisons have been deemed to have committed offences so serious as to warrant removal from the community or that they present too great a risk to be managed in the community under supervision or have failed to respond to previous opportunities for community supervision. This is a decision by the courts. It is the judiciary, after hearing all of the evidence and circumstances, that makes the decision whether or not an offender goes to a correctional centre. The law applies equally to people regardless of their age, race or gender.

The commission has criticised the effectiveness of strip-searching of women prisoners because it has not uncovered large quantities of contraband, yet it makes no reference to the deterrent effect of search practices. The frequency of strip-searching for women prisoners is lower than that for male prisoners in Queensland. The department's policy on strip-searching of women is in line with all other states in Australia and is held up as best practice. A strip-searching regime introduced to Queensland prisons five years ago has cut drug use from almost 20 per cent of prisoners six years ago to now around five per cent. Last year I asked the department if it could reduce strip-searching in Brisbane women's prison. It responded by reducing strip-searching in the crisis support unit by 50 per cent in the last 12 months. However, we will continue to strip-search women prisoners to prevent drugs and other contraband being taken into prison and to minimise the risk of self-harm by prisoners.

The commission recommends the department be aware of new technologies to replace strip-searching. In prisons, strip-searching is conducted in four different areas. Four machines would cost \$2.5 million, plus building modification, depreciation and maintenance costs. To have these machines in all centres would cost around \$30 million. To have this technology would be prohibitive and would not pick up all the elements of contraband that are detected by searches. Also, health concerns in relation to X-ray exposure by staff and prisoners have not been fully resolved. No other state in Australia uses this technology.

The commission claims that women who are detained in the padded cell of the CSU are generally held in a naked state. This is simply not true. The report also recommends that male officers not be assigned responsibility to conduct regular observations of women in observation units or inspections of women at night. I want to point out that it was the department which asked the Anti-Discrimination Tribunal in January 2004 to grant it the ability to have a mix of staff where up to 70 per cent are female. The tribunal approved this, and we will continue to use male staff at Brisbane Women's for the good order and security of the prison and to maintain the protection of female custodial staff.

There have been some serious assaults on female prison officers by prisoners in the past month. No males are allowed to participate in the strip-searching of women, and at no time do males work without female staff in the presence of female prisoners. Male staff will continue to be employed in the Brisbane Women's Correctional Centre, just as they are in watch-houses. Female staff will also continue to be employed in male prisons.

Let us bear in mind that this report by the Anti-Discrimination Commission was due to complaints made by Debbie Kilroy of Sisters Inside about abuse of women and that Brisbane women's prison was likened to Abu Ghraib. These claims have not been proven. Ms Kilroy should now withdraw those comments and apologise to the hardworking staff at Brisbane women's prison.

## MINISTERIAL STATEMENT

### International Women's Day

**Hon. CP CUMMINS** (Kawana—ALP) (Minister for Small Business, Information Technology Policy and Multicultural Affairs) (10.10 am): Mr Speaker, as you know, today is International Women's Day. I would like to take this opportunity to congratulate all those women across Queensland who are contributing to the economic wellbeing of our state through their business activities. Nearly 34 per cent of all small business operators in Queensland are women, and as that number continues to grow we are making sure that they are well supported. Thousands of businesses across this great state have women driving their success. They are really the backbone of many successful companies.

The Beattie government delivers a range of face-to-face and online management skills seminars, workshops and targeted grant schemes throughout Queensland. In fact, I am pleased to announce this morning that six organisations will share in nearly \$88,000 of funding through the latest round of the women in business coaching grant scheme. Those include Gladstone Area Promotion and Development Ltd, Maroochydhore Chamber of Commerce, South Brisbane based Winning Women Inc., Hinterland Business Centre in Maleny, Community Learning Initiatives at West End and Rockhampton Regional Development Ltd. They will each receive funding to conduct a business coaching program for women business owners within their local area. The scheme is a Beattie government election commitment of \$300,000 over three years to fund up to 18 business coaching programs throughout this great state. Coaching programs are run by not-for-profit incorporated organisations and match women business operators with a qualified business coach based on the businesses' needs and the coach's abilities and strengths. Coaching programs have already occurred in Caboolture, Ipswich and Townsville and have been a great success. In fact, to improve the flexibility of the Women in Business Coaching Scheme, I have changed the guidelines so that eligible organisations can now apply to this scheme all year round.

Another successful program is our Smart Women—Smart State workshop series. This popular workshop series commenced in 2002 and, to date, has attracted around 3,500 participants from throughout Queensland. A number of Smart Women—Smart State workshops are happening throughout the state later this month including in Rockhampton, Yeppoon, Emerald, Gladstone, Biloela, Mackay, Kingaroy, Hervey Bay and Bundaberg. It is clear to see that the Queensland government recognises and appreciates the important contribution that women business operators make to the thriving Queensland economy. While members opposite continue to show their usual policy vacuum regarding both small business and women, members on this side of the House acknowledge the importance of both and are delivering them the support they deserve. To all women in small, medium and large businesses, I say: well done; please keep up your great work on this International Women's Day.

## MINISTERIAL STATEMENT

### Tourism

**Hon. MM KEECH** (Albert—ALP) (Minister for Tourism, Fair Trading and Wine Industry Development) (10.13 am): Tourism is one of Queensland's largest industries and one of our biggest employers, providing jobs for more than 150,000 Queenslanders. Last year, well over 2.1 million international tourists visited Queensland. We achieved a rate of growth above those of our nearest national competitors, New South Wales and Victoria. That is not surprising. We have the best product in Australia, which is strongly supported by the Beattie government.

However, competition for the tourism dollar is absolutely fierce. Our government will not sit by and watch our competitors take our market share. We are mounting an aggressive push into our traditional and emerging markets during 2006. As part of that push, I will be leading a high-level tourism trade mission to Japan and Korea from Sunday. We are partnering Gold Coast Tourism in a strategy to again make Queensland irresistible to big-spending Japanese. I am concerned about the softening of the Japan market in recent years in the wake of the SARS scare, a strengthening Aussie dollar and stiff competition for the international tourist dollar.

By taking the Gold Coast to Japan, we aim to keep the region firmly on the Japanese tourism radar by targeting key wholesalers and aviation leaders. Japan is still a major source market for the Gold Coast and also for Cairns. The secret of tourism success is access. A major focus of my visit to Japan will therefore be to convince the management of Japan Airlines to maintain the current level of services to Queensland. If we are to regain lost ground in the Japan market, building air capacity into Queensland is paramount. With this in mind, I will be meeting with senior representatives of Qantas, Tourism Australia and Japan wholesalers in Tokyo and Osaka. I will also be promoting Queensland wines at functions.

Korea is an emerging market for Queensland and offers enormous potential. While in Korea, I will hold high-level talks with key airline partners about future services to Queensland. Koreans want to come here, but we need to be able to get them here. I will also be meeting with major wholesalers to discuss ways we can strengthen our partnership and provide quality Queensland tourism product.

While we will be more aggressive in Asia, our marketing efforts in the traditional markets of the United Kingdom, Europe and the USA are continuing. 2005 was a good year for Queensland's tourism industry. While the coalition has no policy whatsoever when it comes to tourism, the Beattie government wants 2006 to be even more successful. Quite simply, more tourists means more jobs for Queenslanders.

## NOTICE OF MOTION

### Gambling

**Hon. AM BLIGH** (South Brisbane—ALP) (Deputy Premier, Treasurer and Minister for State Development, Trade and Innovation) (10.16 am): I give notice that I shall move—

That this parliament—

- (1) notes the coalition gambling policy announced in December to reduce poker machines by 20 per cent;
- (2) notes that a 20 per cent reduction in poker machines will result in the reduction in state revenue of \$65 million a year, including shortfalls to the Gambling Community Benefit Fund and the health services levy of some \$5.6 million and \$6.5 million respectively;
- (3) notes that the buyout compensation package of 20 per cent of poker machines would require as much as \$587 million;
- (4) notes that in 2005 the Queensland government launched the Responsible Gambling Community Awareness campaign, which is the first responsible gambling policy implemented by any state government in Australia;
- (5) notes that the government calls on the opposition to provide details forthwith to allay growing community concerns regarding cuts to program funding and cuts to services their policy would have; and
- (6) calls on the opposition shadow treasurer—in the interest of open and transparent public debate—to table forthwith the details of which programs and personnel will be cut to cover this loss of revenue.

## ORDER OF BUSINESS

### INTERNATIONAL WOMEN'S DAY; GAMBLING

**Hon. RE SCHWARTEN** (Rockhampton—ALP) (Leader of the House) (10.17 am), by leave, without notice: I move—

That, notwithstanding anything contained in standing and sessional orders, the minister for women be permitted to move at 11.30 am today the motion of which she has given notice this morning and that the Deputy Premier and Treasurer be permitted to move at 4.30 pm today the motion of which she has given notice this morning, with time limits for speeches and debate as follows:

Minister for Women—5 minutes

Leader of the Opposition (or nominee)—5 minutes

All other members—5 minutes

Total debate time before question put—1 hour 30 minutes

Deputy Premier and Treasurer—10 minutes

Leader of the Opposition (or nominee)—10 minutes

All other members—5 minutes

Total debate time before question put—1 hour

**Mr COPELAND:** I rise to a point of order. Mr Speaker, I refer you to standing order 5 regarding the limitation on the suspension of standing and sessional orders and ask for which particular purpose this suspension will be sought.

**Mr SPEAKER:** It is to bring the motion on today. Is that motion agreed to?

**Mr LANGBROEK:** I rise to a point of order. Mr Speaker, I call your attention to standing order 63(4). This government blatantly disregards this standing order.

**Ms Spence:** Don't you want to debate it?

**A government member:** That's not a point of order.

**Mr SPEAKER:** Look, I have a member on his feet for a point of order. I will not accept interjections.

**Mr LANGBROEK:** I am very concerned that twice last week and now again this week we are disregarding standing order 63(4). Why do we not just take it out of the standing order book?

**Honourable members** interjected.

**Mr SPEAKER:** Please, take your seat. This is a question for the House. If the opposition wants to oppose it, it has the right to do that.

Motion agreed to.

## NOTICE OF MOTION

### Container Deposit Legislation

**Mr CHRIS FOLEY** (Maryborough—Ind) (10.20 am): I give notice that I shall move—

That this House support the investigation of container deposit legislation in Queensland.

## PRIVATE MEMBERS' STATEMENTS

### International Women's Day, Women in Parliament

**Miss SIMPSON** (Maroochydore—NPA) (10.20 am): International Women's Day presents an opportunity to celebrate the gains women have made as well as highlight future challenges. It will also be an opportunity for the Queensland coalition to celebrate the 10th anniversary of the introduction of paid maternity leave for the Queensland Public Service by the coalition government in 1996. In addition, this year also marks the 20th anniversary of the first woman being appointed to cabinet in Queensland and the 10th anniversary of the first woman becoming deputy premier.

The year 2006 marks the 10th anniversary of the coalition introducing paid maternity leave for the Public Service which is one of the single greatest moves for advancement of women in the workplace in recent decades. Despite all the meaningless rhetoric of Labor, it never introduced paid maternity leave into the Public Service. It took a coalition government to do that in 1996 and I was proud to be part of that government.

I particularly pay tribute to the then deputy premier and minister for women's policy, Joan Sheldon, who spearheaded the move. This was a passion of hers, because when she was in opposition she saw Labor only talk about women's issues. It took her appointment as Deputy Premier and Treasurer for anything meaningful to be achieved. The coalition cabinet formally ratified its decision to introduce paid maternity leave in May 1996, and the initiative was fully funded in the coalition's first state budget of that year.

This year also marks the 10th anniversary of the coalition's Joan Sheldon becoming the first woman to hold the post of Deputy Premier and Treasurer—an achievement Labor has only matched 10 years later. This year also marks the 20th anniversary of the Nationals' Yvonne Chapman becoming the first woman in the Queensland cabinet when she became minister for youth and ethnic affairs in February 1986.

### Daniel Morcombe Foundation

**Ms MOLLOY** (Noosa—ALP) (10.22 am): Last Saturday night the Daniel Morcombe Foundation held its annual dinner dance at Twin Waters Resort. All Queenslanders are aware of the unforgivable abduction of Daniel Morcombe on the Sunshine Coast in 2003.

The dinner dance was held to increase awareness of the newly established foundation as well as to raise some much needed funds for its ongoing efforts. At its core, the aim of the foundation is simple: to protect our children. The foundation's objectives include educating children regarding their personal safety, including abduction; assisting victims of crime, particularly where the crime involves children; providing a vehicle to attract funding from state and federal bodies and establishing and maintaining a public fund to attract public donations and bequests; continuing the search for Daniel; and raising funds for public and government entities to support those objectives.

Of course, as well as these important objectives, the establishment of the foundation also serves as an ongoing tribute to Daniel's life—to an innocence so cruelly snatched away. The dinner dance was a success—in fact, tickets were sold out—and I trust that it will go on to become a regular feature on the Sunshine Coast calendar.

I would also like to take the opportunity to commend the ongoing efforts of both the Queensland Police Service and the wider Sunshine Coast community. The police have been tireless in their commitment to the case and their efforts continue. The people of the Sunshine Coast have also shown an incredible commitment to the case. I commend the support the community has given to the Morcombe family over the past two years.

Finally, I would like to mention the Morcombe family, in particular Daniel's parents, Bruce and Denise. Their strength in enduring an unimaginable nightmare is an example to many and I commend their vision in establishing this foundation.

I close with part of the message from the Premier that was read out at Saturday's dinner by my good colleague the member for Kawana—

We should all be very proud that you are able to channel your grief into creating something positive for the community, especially for child victims of crime.

### National Australia Bank, Wide Bay Bricks Pty Ltd

**Mr CHRIS FOLEY** (Maryborough—Ind) (10.24 am): On 22 November last year I raised and tabled in this House matters relating to allegations of fraud, malpractice and deceptive conduct by the National Australia Bank and others, including Wide Bay Bricks Pty Ltd and the company's former owners, Mr Sante and Mrs Rita Troiani, of Bundaberg. These allegations and supporting documentation have been referred to the Minister for Justice and Attorney-General and I understand they are being looked into by the minister.

I have been further advised that, flowing from related legal actions involving the NAB and the Troianis and from the material tabled by me on 22 November 2005, further representations by way of complaint and affidavit to the minister were made on 8 February this year from banking expert Mr John Salmon, who has investigated the Troiani case. I table a copy of the Salmon affidavit and complaint for the information of members.

The submission from Mr Salmon raises very grave allegations of misconduct not only against the National Australia Bank but also against senior counsel and the top echelons of the Queensland Supreme Court judiciary. It calls for a top-level inquiry into the procedures and conduct of the Supreme Court and the judiciary in dealing with litigation involving banking institutions, including our banks specifically.

A basic cornerstone of our democratic system and processes is that we must be able to have faith and trust in our legal and judicial systems. Without that, we are on the road to anarchy and unbridled corruption. If there is even the whiff, the suggestion or the perception of misconduct and/or corruption in this area, it must be investigated fully, openly and transparently.

I urge the government to give due and serious regard to these very serious complaints, assertions and allegations and to act accordingly by way of holding a top-level inquiry and investigation as sought. The integrity of our legal and judicial systems is vital and the preservation of public faith and trust is paramount.

### Nursing Homes

**Mr FINN** (Yeerongpilly—ALP) (10.26 am): The federal government is failing to care for our elderly people in our nursing homes. Like most Australians, I have been shocked by the reports of abuse of nursing home residents and the horrific treatment of aged people in Queensland and Victorian nursing homes. Allegations have included rape and assault of dementia patients in their 90s and a recent complaint of pornographic pictures taken of a late 83-year-old woman in a nursing home.

These types of incidents strike at the heart of our fears about how our elderly family members will be treated when they are in care. Six years ago, we were all shocked by the use of kerosene baths in nursing homes and the neglect of residents in a poorly managed aged-care system. Today it is clear that the federal government has failed to address problems in aged care and that people continue to be treated badly on its watch.

One example is the Immanuel Gardens Nursing Home in Queensland. That facility was inspected in August 2005 and failed 15 of 44 care standards. That was not a new thing for this nursing home: it had failed to meet accreditation standards for three years. Notwithstanding that, it took the federal government until February to sanction the nursing home. After three years of this nursing home failing to meet accreditation standards it took the federal government another seven months to sanction it after it failed to make the grade on a third of its care standards. What did aged care minister Santoro say about this? He said that this was an example of how diligent his department was in following up its obligation with regard to compliance.

Residents and families cannot have confidence in the management of the nursing home complaints system, either. Last week, in the course of a couple of hours Minister Santoro went from describing the complaints procedure as working well to saying it needed finetuning and then saying that some complaints fell through the cracks. Quite simply, the Liberal and National parties cannot manage the health and safety of our elderly. It is time for a commission of inquiry to expose their failings and to protect our elderly and vulnerable nursing home patients.

### Gaven By-Election

**Mr QUINN** (Robina—Lib) (10.28 am): On 2 April the people of Thailand will go to a general election—one day after the Gaven by-election on 1 April. But there will be some people in Thailand who will be confused about where they will be voting, such as the person who was pictured in the *Sunday Mail*. He will be confused, because over the past couple of years the previous member for Gaven probably spent more time in Thailand than in his own electorate of Gaven. He will want to vote for Team Beattie over in Thailand.

**Mr Mickel:** What about Michael Johnson?

**Mr SPEAKER:** Order! Minister for Energy, can I please have some order.

**Mr QUINN:** It is not surprising that Team Beattie T-shirts are being handed out like confetti over in Thailand because the former member for Gaven obviously spent more time over there. But one thing we can be sure of is that, even though this person in Thailand may want to vote for Team Beattie, he will be spared the indignity of having to suffer all those interminable Queensland Health advertisements in the local newspaper, on the radio and on the TV. He is better off being in Thailand because the people of Gaven will be subjected to an avalanche of Labor Party propaganda over the next couple of weeks. At least over in Thailand he is safe from the clutches of the ALP.

## QUESTIONS WITHOUT NOTICE

### Caboolture Hospital; Aspen Medical

**Mr SPRINGBORG** (10.30 am): My question without notice is to the Minister for Health. I refer to the Premier's announcement yesterday about the appointment of a private health company, Aspen Medical, to operate the Caboolture accident and emergency department following the resignation of Queensland Health doctors. Will the minister explain why this contract for more than \$7.8 million in the first year was let without an open tender process? Given that the Premier admitted that this contract is almost \$4 million more than the cost of Queensland Health staff providing the service, will the minister advise whether Aspen Medical approached the government or did the government invite Aspen Medical to make an offer? In the interests of openness and accountability, will the minister table the contract details in this parliament?

**Mr ROBERTSON:** Aspen was selected after a closed tendering process.

**Mr Beattie:** I said that yesterday.

**Mr ROBERTSON:** As the Premier quite rightly says, we said that openly and publicly yesterday. The hypocrisy of members opposite knows no bounds. While we talk about implementing our plan, they continue to whinge, they continue to whine, they continue to knock. Our commitment from day one, from 16 January, to the people of Caboolture was to restore services at the emergency department as quickly as possible. We said that we would leave no stone unturned, that we would investigate every option.

We know that there is a national shortage of doctors. The only person who does not believe that there is a national shortage of doctors is the part-time member for Moggill. Over the last number of months he has taken every opportunity on the days that he was actually working for the people of Queensland to say that there is no national shortage of doctors. Thankfully, there is one doctor who does believe that there is a national shortage of doctors. It is a certain Dr Alexander Douglas. And I just happen to have the *Gold Coast Bulletin* of 8 March, which states—

Despite Premier Peter Beattie taking aim at MPs who moonlight in the private sector, Dr Douglas said he would continue to meet the requirements for medical registration. "There is a doctor shortage," he said.

**Mr Hobbs** interjected.

**Mr SPEAKER:** Order! Member for Warrego, I warn you under standing order 253.

**Mr ROBERTSON:** The reason the National Party candidate for Gaven will only be a part-time member for Gaven is that there is a national shortage of doctors. Thankfully, we are at least getting some honesty coming from the other side, unlike the part-time member for Moggill. He has had two years to arrange his business affairs with respect to his practice to recruit new doctors.

**Mr Malone** interjected.

**Mr SPEAKER:** Order! Member for Mirani, I warn you under standing order 253.

**Mr ROBERTSON:** The candidate for Gaven said that he is on the verge of appointing a replacement principal doctor at his practice as well as two locums. He is doing the right thing. He is trying to find more time to represent the people of Gaven. That is part of his candidacy. That is appropriate. He is taking steps from day one.

**Mr Johnson** interjected.

**Mr SPEAKER:** Order! Member for Gregory, I warn you under standing order 253.

**Mr ROBERTSON:** The part-time member for Moggill has had two years and he has done nothing. He continues to want to pick up the dollars—the lazy hundred grand—as a part-time member of parliament while continuing to be a non-bulk-billing doctor on the north side of Brisbane.

Time expired.

### Caboolture Hospital; Aspen Medical

**Mr SPRINGBORG:** My second question without notice is to the Minister for Health. I again refer to the Premier's announcement yesterday about the appointment of a private health company to operate Caboolture's accident and emergency department following the resignation of Queensland Health doctors. I again ask the minister: who else was invited to tender as a part of this closed tender process and will the minister table the contract? Additionally, I also remind the minister of the fact that



the government will pay Aspen Medical \$1.7 million to undertake a review of the closed emergency department. Given that the Forster inquiry cost \$1 million and the entire Queensland public hospitals commission of inquiry cost \$6 million, how can the minister justify the expenditure of \$1.7 million to review a closed emergency department when there is an urgent need for health services around the rest of Queensland?

**Mr ROBERTSON:** I can justify it on a number of bases. The first one comes out of the mouth of the part-time member for Moggill when he called upon me to spend whatever it took to restore services to Caboolture. The second one also comes from the part-time member for Moggill who said that we should bring in private locums if that is what it took to restore services to Caboolture. He said that on 16 January. In terms of bringing in private operators, in terms of paying extra money, we are just following his lead.

I do not know what problem he has with new, innovative arrangements such as this. I hear suggestions that we are privatising services. What a load of absolute nonsense! Every person who turns up to the emergency department at Caboolture will be seen free of charge, as is required under the Australian Health Care Agreement and as per our commitment to public healthcare in Queensland.

**Mr Mickel** interjected.

**Mr SPEAKER:** Order, Minister for Energy.

**Mr ROBERTSON:** I am going to take that interjection because he did remind me that the part-time member for Moggill is not a bulk-billing doctor. He is prepared to take additional money. Where is his commitment to public healthcare? Where is the part-time member for Moggill's commitment to free public health? He has absolutely no basis to stand in this place and suggest for one moment that the Beattie government has less than a full commitment to free public healthcare in this state because he will always be hung by his own individual actions—

**Mr Copeland** interjected.

**Mr SPEAKER:** Order! Member for Cunningham, I warn you under standing order 253.

**Mr ROBERTSON:**—and his own individual greed.

**Dr FLEGG:** I rise to a point of order. I have put up with this personal attack—

**Mr SPEAKER:** What is the point of order, member for Moggill?

**Dr FLEGG:** I find his references offences—in particular, his reference to greed—and I ask him to withdraw it.

**Mr SPEAKER:** Minister, will you withdraw?

**Mr ROBERTSON:** Mr Speaker, I withdraw. That high fee-paying doctor who takes more than he is entitled to under the Medicare Agreement, that high fee-paying doctor who puts extra pressure on the Caboolture ED—

**Mr Springborg** interjected.

**Mr SPEAKER:** Order! Leader of the Opposition, I accept that you have a very important role in this parliament, but that does not mean that I will not name you.

**Dr FLEGG:** I rise to a point of order. The attack in relation to taking more than I am entitled to, implying some sort of dishonesty there—

**Mr SPEAKER:** Order! What is your point of order?

**Dr FLEGG:** It is offensive, it is untrue and I ask for it to be withdrawn, and perhaps the minister should reconsider this sort of personal attack.

**Mr ROBERTSON:** Mr Speaker, I withdraw, but it does raise the question of how much time the honourable member is spending in his electorate and how much time he is spending in his surgery.

### Skilled Workers

**Mr LEE:** My question without notice is to the Premier. Can the Premier explain what actions are being taken by the government to address the need for more skilled workers in Queensland?

**Mr BEATTIE:** I thank the member for Indooroopilly for his question, because I know that, like me and all my colleagues, he shares a passion for training and skilling. Since coming to office, the Queensland government has achieved an unemployment rate of just five per cent and labour force participation well above the national average. Today we have launched the Queensland Skills Plan, a program of far-reaching reforms that will strengthen and streamline vocational education and training across the state. It is the most significant review of training and skilling in 40 years in Queensland. Through this plan, the government is investing heavily in skilling the workforce of tomorrow.

Today we announced \$801 million in recurrent funding over four years and capital expenditure totalling \$303.3 million over six years to strengthen and improve the vocational education and training system. This includes \$372.7 million in new recurrent funding and \$223 million in new capital funding over four years. The sweeping reforms will fast-track up to 80 per cent of apprenticeships and in doing so provide more skills for our burgeoning industries but at the same time will maintain standards. We

have this balance right. It has taken a lot of effort, a lot of commitment and a lot of determination, but we have the balance right about accelerating skills to deliver the infrastructure plan, on the one hand, and preserving quality, on the other.

The Queensland Skills Plan is a groundbreaking, billion-dollar investment in the future of Queensland. Every week there are 1,500 additional people moving to Queensland. What we need are the skills to build the Queensland of tomorrow, and that is exactly what we are doing. I have spelled out this morning and on other occasions the \$55 billion plan. I have highlighted what we are doing in the coalfields, with new railway lines and new ports—

**Mr Mickel:** Electricity.

**Mr BEATTIE:** And electricity; that is exactly right. We need the skills to deliver it. The 1,500 additional Queenslanders every week has a significant impact on our resources and it has a significant impact on our services. It is one of the reasons why we ran into some issues in terms of health, which we now have the health plan to resolve. We are making certain that in terms of skills we give Queenslanders the opportunity not just to be trained but to be retrained so we can deliver the infrastructure of tomorrow. I am delighted that this white paper delivers that.

Tom Barton, minister for employment and training, and I have just addressed a large gathering of industry leaders and trade union leaders who have warmly supported this plan. They are the people who understand what Queensland needs and what industry needs to deliver the projects of today and tomorrow. They are supportive of what we are doing. This is about skills, skills, skills and it is about Queensland's future. These skills that we are delivering will build that future. I am delighted. I want to thank Tom Barton again and all my team who have put this together. This is the sort of vision we have for Queensland, the vision for the Smart State.

**Mr SPEAKER:** Order! I welcome into the public gallery teachers and students of the MacGregor State School in the electorate of Mount Gravatt, which is represented in this parliament by Judy Spence.

### **Caboolture Hospital; Aspen Medical**

**Mr QUINN:** My question is directed to the Minister for Health. Who else besides Aspen was invited to tender for the contract to keep the emergency section of the Caboolture Hospital open? Will the minister table the contract that he signed with Aspen? What do we get for our \$1.7 million in terms of the review of the accident and emergency section of Caboolture Hospital?

**Mr ROBERTSON:** What we get from Aspen is not just the provision of senior doctors to reopen that emergency department 24 hours a day, seven days a week from 18 April. What we get is a commitment by them to also improve the level of training afforded to other clinical staff at Caboolture. In addition to the doctors that they will be providing, there is also a senior nurse educator who will concentrate on upskilling and providing additional training to the nurses employed at Caboolture emergency department.

**Dr Flegg** interjected.

**Mr SPEAKER:** Order! Member for Moggill, I warn you under standing order 253.

**Mr ROBERTSON:** Therefore, what we are providing is an enhanced level of service. What Aspen has committed itself to is building a model emergency department that will be the envy of emergency departments in hospitals of that size.

**Mr Caltabiano** interjected.

**Mr SPEAKER:** Order! Member for Chatsworth, I warn you under standing order 253.

**Mr ROBERTSON:** What they are doing is implementing a model with a greater emphasis on training, a greater emphasis on research and a greater emphasis on delivering high-quality care to the people of Caboolture. For the life of me, I cannot understand why you hate the people of Caboolture so much and why you are so anti this contract. We said from day one that we would commit ourselves to work day in, day out for the people of Caboolture to restore services there, and that is what we have done.

We heard the CEO of Aspen on the radio this morning saying that what they are limited to doing in terms of staffing that ED is not recruiting emergency department doctors from other hospitals in Queensland. They will have to find those doctors from other states where they have operations. They will have to find them from overseas where they also have operations. What that will do is add to the net number of emergency department doctors in this state. It will fill a significant number of vacancies that we have at Caboolture and will also relieve some pressure in other places in Queensland. Why is the Leader of the Opposition so against that? Why is he so against increasing the number of skilled emergency department doctors in this state?

**Mrs Carryn Sullivan** interjected.

**Mr SPEAKER:** Order! Member for Pumicestone, I warn you under standing order 253.

**Mr ROBERTSON:** This is cheap, nasty politics from an opposition that has no policy, no ideas and no plan.

### Mortgage Scheme, Sunshine Coast

**Mr HAYWARD:** My question is directed to the Premier. Can the Premier explain why the Attorney-General has been forced to refer elderly Queensland investors to the Australian Securities and Investments Commission for advice on a Sunshine Coast mortgage scheme collapse?

**Mr BEATTIE:** I can, and I am quite concerned about this. Some 100 Queenslanders, many of them elderly, have had their plans for retirement and a comfortable life devastated by the collapse of a mortgage scheme run by a Sunshine Coast legal firm. An estimated \$30 million of investors' funds was lost in failed investment schemes beginning in the mid-1990s. The firm's principal, Terry Boyce, has been struck off for life for his role in the failed investment companies. It was found that Boyce had done these things: he failed to disclose relevant information to clients; he failed to disclose a conflict of interest and duty; and he made a false disclosure to a firm of accountants that a borrower had made interest payments as and when due.

But for many victims Boyce's punishment has not provided closure. They have been left devastated and out of pocket by the failure of companies such as BG managed investments and BG securities. According to a prospectus of BG managed investments, another Boyce Garrick director was responsible for ensuring ongoing compliance by the manager with the scheme's requirements. That director's role was to 'consider reports from the compliance officer, compliance committee and the manager's various auditors'. In other words, that director's role was to make sure everything was in order. That director was the member for Caloundra, presently the coalition spokesman on the Attorney-General's portfolio and previously the shadow minister for seniors. The member for Caloundra is on record saying that he knew nothing about Mr Boyce's activities—*Courier-Mail*, February 2004—despite being a director of the law firm for four years. Yet he has been named in a law suit initiated by victims of the collapse. In the last of these cases reported in the *Sunshine Coast Daily* on 18 June last year, five complainants had won a \$670,000 settlement. Further court cases are in train as the victims of the devastating collapse seek to recover their lost funds.

The Australian Securities and Investments Commission is of course the appropriate body to investigate those complaints. The Attorney-General tells me that she has sent ASIC complaint forms to people who have contacted her office with complaints about Boyce Garrick—an extraordinary situation: an Attorney-General having to refer people to ASIC about complaints relating to the shadow attorney-general. The leaders of the so-called opposition must fully investigate the involvement of the member for Caloundra in the affairs of Boyce Garrick. The question must be asked: is the member for Caloundra an appropriate person to hold the position of shadow attorney-general? The answer is no. I table for the information of the House a *Courier-Mail* article in which Mr McArdle is reported as saying that he—

... knew nothing about the nature of Mr Boyce's activities until he ... left. He had relied on Mr Boyce's advice as a partner and, regrettably, he had not been fully informed about the failing schemes.

The member for Caloundra had a responsibility to do so. There is no point the member coming in here trying to behave like a shadow attorney-general: he will have no credibility. I think it is a disgrace.

### Caboolture Hospital; Aspen Medical

**Mr SEENEY:** My question without notice is directed to the Minister for Health. I refer the minister to the answers that he has given to the last two questions, in which he has spent an extraordinary amount of time—

**Mr SPEAKER:** Order! Member for Callide, I warn all members that custom and practice in parliament is that you ask a question; it is answered. You do not keep on coming back to the same question.

**Mr SEENEY:** Thank you, Mr Speaker. My question is to the Minister for Health. I refer the minister to the answers he gave to the previous two questions, where he spent an extraordinary amount of time personally abusing the member for Moggill. The minister has been asked the question twice and has not answered the question. For the third time, I ask: who else was in the tender process for the Caboolture emergency department? Will the minister table the contract? What do the people of Queensland get for the \$1.7 million that is going to be spent on reviewing an emergency department that is closed?

**Mr SPEAKER:** Before the minister answers that question, that is the last time I will take a question as termed by yourselves.

**Mr QUINN:** I rise to a point of order. There is nothing in the standing orders that prevents members of the opposition asking the same question time and time again until it gets answered.

**Mr SPEAKER:** Order! It has long been a rule of this House that a question fully answered must not be asked again. I call the Minister for Health.

**Mr ROBERTSON:** Mr Speaker, in reflecting on the question that was asked by the member for Callide, it is probably true that I have been a little hard on the part-time member for Moggill this morning. I make it quite clear that what I am trying to point out is the degree of hypocrisy here. If the part-time member for Moggill—

**Mr SPEAKER:** Minister, can you refer to him by his correct title, 'the member for Moggill'.

**Mr ROBERTSON:** If the member for Moggill wishes me to let up, all he has to do is stand in this place and commit himself to public health in this state.

**Mr SEENEY:** I rise to a point of order.

**Mr SPEAKER:** Minister, take your seat.

**Mr SEENEY:** I draw your attention to the relevance of the answer that the minister is giving. He has been asked the question three times, and he refuses to even go close to answering it.

**Mr SPEAKER:** Member for Callide, take your seat. Minister for Health, please respond.

**Mr ROBERTSON:** If the member for Callide had not mentioned the member for Moggill in his question, I probably would not have been providing this answer. Since the member did mention the member for Moggill in his question, all the member for Moggill has to do is stand in this place and commit himself to public health by converting his clinic to a bulk-billing clinic. That is all he has to do, and I will no longer be on this campaign to expose the lack of commitment that that side of politics has to free public healthcare in this state. That is the challenge, member for Moggill: stand in this place and convert your clinic to a bulk-billing clinic!

**Mr SPEAKER:** Minister, take a seat. I am not going to have this parliament acting like a rabble, and that is the way it is acting today. I have given a ruling on questions. I have been advised by the Clerk. I will take questions, but I will not accept questions that are simply the same question over and over again. Do you all understand that? I want some order in this place.

I have a list of members I have warned under standing order 253. If one of those members misbehaves again, I will be asking them to leave this chamber. Do you all understand that? I call the Minister for Health.

**Mr SPRINGBORG:** I rise to a point of order.

**Mr SPEAKER:** What is the point of order?

**Mr SPRINGBORG:** Mr Speaker, in respect to the ruling and the reference to the standing order you mentioned a moment ago, I understand that the section says that there will not be the acceptance of questions in relation to answers that have been fully given. The contention of the opposition is that there has not been a fulsome answer given by the minister. There has to be some differentiation, Mr Speaker, if the minister has not answered the question fully.

**Mr SPEAKER:** Thank you.

**Mr ROBERTSON:** Mr Speaker, just for the record, I actually provided details of what the public gets for the \$1.7 million in the previous answer, but I will get back to my point.

As I said, the simple challenge is this. If the member wants to pick up the \$100,000 for being the member for Moggill, albeit on a part-time basis, then the least he can do for the people of Caboolture—

**Mr SEENEY:** I rise to a point of order.

**Mr SPEAKER:** Minister, take your seat, please. What is the point of order?

**Mr SEENEY:** Mr Speaker, I ask you to make a ruling under standing order 118 as to the relevance of the minister's answer.

**Mr SPEAKER:** I have made rulings, and previous Speakers have made rulings before, that members can ask questions, and it is up to ministers how they answer the questions. Having sat in this chair yesterday, I understand that these questions were well and truly answered.

### **Leader of the Opposition; SunWater**

**Ms CROFT:** My question is for the Deputy Premier. Is the opposition leader confused with his role? Does he understand simple economics?

**Ms BLIGH:** I thank the member for the question. The very simple answer is, yes, he is confused, and, no, he does not understand simple economics, but I will take the opportunity to give a longer answer in more detail.

Hot on the heels of the brilliant GOC FOI policy that I outlined to the House last sitting, and hot on the heels of the opposition leader's complete failure to act on the damaging comments made by his deputy about the Chalco arrangements in relation to the Aurukun bauxite lease, I can offer the parliament another stunning insight from the Leader of the Opposition into the operation of the state's economy, particularly through our GOCs.

On 20 February members may have noticed comments by the Leader of the Opposition on the operation of SunWater. He said—

SunWater has become a milch cow which is now transferring money from the pockets of water users into the coffers of government.

A milch cow, Mr Speaker. I thought, 'Well, that's an interesting observation on the part of the Leader of the Opposition. I wonder whether it stacks up.'

The facts about SunWater's operations are these. Firstly, SunWater takes a lower dividend than any other GOC. It is set a dividend of 40 per cent as opposed to the standard 80 per cent. Secondly, all of those dividends—every single dollar of those dividends, which have amounted to approximately \$10 million over six years—have been reinvested for use in non-commercial projects of benefit to irrigators in the wider rural community. Every single dollar has actually been reinvested back into SunWater. Thirdly, SunWater, of course, gets CSOs from the government. It actually gets community service obligation payments. In fact, since corporatisation in 2000, the government has provided funding of more than \$59 million to SunWater.

I take members back to the original 'milch cow' comment and the accusation that money is being transferred from the pockets of irrigators into government coffers. I am not going to stand here and pretend that I know as much about milking cows as some of the people opposite, but I know one thing—the cow has to have milk in the first place, and it is clearly not the case this time.

In terms of the opposition leader's role, I have had another opportunity in the break to have a look at his web site, springborg.com. I found some very interesting material. There was a press release issued on Monday, 20 February, from the Australian government minister for transport, Warren Truss, that was on springborg.com. It was announcing a \$2 million grant to a regional airport. I thought, 'Well, that's interesting. The airport is called Parafield.' I was looking across regional Queensland. I went on to the other part of the springborg.com web site that said, 'What is happening in your area,' and I could not find the area of Parafield. That would be because it is north of Adelaide.

**Mr Lucas:** Greater Parafield.

**Ms BLIGH:** Greater Parafield, that is right. Parafield is taking over Queensland. Of course, it does not stop there.

Time expired.

### Gympie Bypass

**Miss ELISA ROBERTS:** My question is for the minister for transport. Will the minister please outline where his department is regarding the design of the new main roads routes between Cooroy and Curra? Does the minister have any plans to visit the Gympie electorate to meet with the various committees that have been formed to represent residents from each area that will be affected?

**Mr LUCAS:** I thank the honourable member for her question. As people know, according to the AusRAP report—which is the independent national road assessment report—Queensland has, by a major margin, the worst section of National Highway in Australia, and amongst the worst sections is the Bruce Highway through Gympie.

We have had discussions about this over lengthy periods of time and, of course, we saw the terrible tragedy at Federal last year. We have done things there to improve the safety of the Bruce Highway. There is one solution to dealing with road carnage through Gympie, and that is a Gympie bypass. I acknowledge the federal government's provision of money for the study of that Gympie bypass. It has done that, and I thank it for that. Indeed, in November last year Minister Truss launched the short-listed options. He launched them in Gympie. There was significant negative community reaction from that. The honourable member has raised that on behalf of her constituents on a number of occasions. The people in Gympie said that they did not like the suggested routes. Both the federal minister and I have agreed to extend the period of consultation for another seven weeks to give local people a chance to have their say.

When I will be in Gympie in the next week or two, with federal Minister Truss, the member for Gympie and the mayor, we are going to do an overflight of the potential area that we are talking about so that we can get a ground truth view of it, for want of a better word, to see what might best happen.

I say to the honourable member for Gympie and other members of this House that what we need to understand is that we cannot have a situation where once the study is done we do not get a commitment to build the bypass. That is the main game. That is what will happen to ultimately reduce deaths on this section of the road. We have ever-increasing traffic volumes through that section of Gympie and the road is very old and of poor alignment. That is why I am a bit obsessed about the Bruce Highway. I do take on board the honourable member's wish and strong desire on behalf of her constituents.

We have had about 1,800 submissions to the project team. On Monday the team briefed the Cooroy Curra Community Committee on a broad range of feedback. Based on that feedback, the study team is reviewing existing options and considering new options. Preliminary assessments of possible new corridor options further to the east and west have commenced and some of them are outside the original study area.

We have \$4.3 million from the federal government for this study and we are working closely with it on this. As I have said, the federal minister launched the original routes. The important thing is that once we get the study done we need the money from the federal government. We have an excellent

opportunity with the federal minister being the local member. I think that we need to say, 'Listen, this is the worst section of the Bruce Highway in Queensland'—and there are some pretty bad ones. 'We need your commitment to fix this and fix this with the funds as soon as we get the route finally determined.'

Some people will not like the route for the road. It will have to go through somewhere. It cannot go through the air. I am sorry about that. It will inconvenience people. What we want to do is get the safest and best possible route for our National Highway not only for the people of Gympie but also for all who use it.

**Mr SPEAKER:** Order! Before I call the member for Capalaba, I welcome to the public gallery teachers and students of the Moreton Downs State School in the electorate of Murrumba, which is represented in this parliament by the Hon. Dean Wells, and also teachers and year 11 legal studies students from Clairvaux Mackillop College in the electorate of Mount Gravatt, which is represented in this parliament by the Hon. Judy Spence.

### Queensland Skills Plan

**Mr CHOI:** My question without notice is to the Minister for Employment, Training and Industrial Relations and Minister for Sport. Earlier today the minister along with the Premier officially launched the Queensland Skills Plan, the government's visionary blueprint for our vocational education and training system. Could the minister tell us more about the plans to expand the innovative training and career advisory service Skilling Solutions Queensland, which has been successful trialled over the past year or so?

**Mr BARTON:** I thank the member for Capalaba for the question. He is always very interested in skills formation and making sure that we upgrade the skills of people in his electorate and the rest of the state. I am really thrilled to get another opportunity to talk about Skilling Solutions Queensland because we have trialled a number of these one-stop shops over the past year. The Premier officially opened the first one at the Logan Hyperdome about a year ago. There is one in Logan Central and another one at the Meadowbrook campus of Logan TAFE. We have one in Rockhampton that was opened last year. They were the trial centres to make sure that the concept really worked before we proceeded to commit to roll them out around the rest of the state.

What they do is offer face-to-face advice on training and careers to help people make the best of their work talents. It is all about making sure that people who have skills have them recognised—that is, recognition of prior learning and recognition of current skills. It is designed to give them the best opportunity to be steered towards adding to those skills or doing some form of training program to get formal recognition of the skills that they may not have the paperwork for. Then they can get even better jobs and better pay for their jobs. They will upskill themselves which will result in the upskilling of Queensland.

In the past six months we have had a centre open in Rockhampton and the others I mentioned in the southern suburbs of Brisbane and in Logan City. They have worked out incredibly well. Since they first opened more than 2,000 people have come through. They have had one-on-one opportunities to talk to consultants, to have their existing skills recognised and assessed and to get advice about where they can go to get the training that they need. It is not just training through TAFE; it is training through private providers in this state. It is designed to determine how they can best add to their existing skills.

The officers offer skills assessment as well as very detailed information about careers, training requirements, potential salaries, industry employment trends and demographics. This means that we will not have people putting their hands up to go into careers where, frankly, there is not a future because the demographics have changed.

Over the next two years we are going to establish a network right around Queensland. We are going to roll out 24 of these Skilling Solutions Queensland offices. We are going to be expending during the four-year period some \$74 million. This is one of the cornerstones of the more than a billion-dollar project that I helped the Premier announce this morning. It is not just about rolling out the capital but about making sure that people's skills are assessed to be built on.

### Caboolture Hospital; Aspen Medical

**Dr FLEGG:** My question without notice is to the Minister for Health. I refer the minister to the over \$9 million of taxpayers' funds that he intends to pay to Aspen Medical. Who else was invited to tender for this taxpayer-funded contract? Will the minister table the contract?

**Mr SPEAKER:** Order! Member for Moggill, please resume your seat. I made it quite clear earlier that this question has been asked approximately four times. The Clerk has a ruling from former Speaker Turner. We have parliamentary practice which states quite clearly that once a question has been asked it should not be asked a second, third or fourth time. I give the member the option to either change his question or I will move on to the next question. It is up to the member.

**Dr FLEGG:** I have listened very carefully this morning and I have not heard any of the matters in my question responded to.

**Mr SPEAKER:** Member for Moggill, I have given you the option to change the question or I will move on to the next questioner. It is up to the member.

**Mr ROBERTSON:** Mr Speaker, I rise to a point of order. To provide assistance to the House I point out that I am prepared to provide the information that the member is intimating in his question. If that would provide assistance to the honourable member and provide assistance to you, Mr Speaker, I am happy to provide it.

**Mr SPEAKER:** In view of a comment made by the minister I will accept the question but I give all members notice that it is last time this question is going to be asked.

**Dr FLEGG:** I will start at the beginning of the question. My question without notice is to the Minister for Health. I refer the minister to the over \$9 million of taxpayers' funds he intends to pay to Aspen Medical. Who else was invited to tender for this taxpayer-funded contract? Will the minister table the contract? What do the people of Queensland get for the \$1.7 million the minister is paying Aspen to review a closed emergency department?

**Mr ROBERTSON:** In relation to the third part of the question, I have provided information in previous answers to that part of the repeated question. In relation to the first part of the question, as the member would be aware—and as has always been the practice irrespective of what government has been in power—those matters are commercial-in-confidence. It is not the practice of any government to table that documentation. The member knows that as well as anyone else in this parliament does.

In relation to the second part of question, however, I can inform the House that in relation to the tendering process consultation occurred among senior officers of my department between 3 February and 14 February to enable the specifications and tender to be developed and then issued on 14 February. The tender development and evaluation steps that occurred are as follows. It was determined that the tender should be a closed tender due to the urgency of the matter. Companies to which the tender would be sent were determined by market research which relied on an extensive internet search of companies with the appropriate capabilities, discreet inquiries to the Commonwealth government and knowledge of the marketplace by departmental officers.

As result of the above, it was determined that the tender should be forwarded to Aspen Medical Pty Ltd and Anodyne Services Australia. A response to that closed tender process was received from only Aspen. That tender was then evaluated by senior officers of my department, including respected doctors and administrators such as Dr Michael Cleary, the acting district manager of Princes Charles health district; Dr Jillian Farmer; Mary Montgomery, the district manager of the Redcliffe-Caboolture district; and Dr Donna O'Sullivan from the Redcliffe-Caboolture Health Service District.

The tender was evaluated against predetermined criteria and weightings and following the evaluation, analysis and process it was determined that Aspen Medical could be awarded the tender. Then it went through a process of appropriate probity checks, including probity checks by Dun and Bradstreet, to ensure that everything was in order with respect to Aspen. There were further checks made in terms of Google searches et cetera to determine whether there were outstanding issues with respect to Aspen. All of those checks came up with a significant level of confidence that allowed us to go forward with this tender to Aspen, recognising that there was additional expenditure required, but that was part of our commitment to restore services to the people of Caboolture in the shortest possible time. An appropriate transparent process was undertaken by my department that should lead all members of this House to be confident that my department has acted with appropriate probity at all points in time.

### **Caboolture Hospital, Member for Moggill**

**Mr REEVES:** I also acknowledge the students from Clairvaux McKillop, as I am a past student of that great school. My question is to the Minister for Health. I refer to the statements by the member for Moggill to parliament on 28 February when he said he worked as a GP on Boxing Day and that—

... I took patients directly from the stricken Caboolture emergency department because they were unable to access treatment in a public hospital.

I also refer to his other specific statement that—

In fact, the department at Caboolture Hospital referred patients to me.

I ask: what do the official records at Caboolture Hospital emergency department say about the truth of the member for Moggill's statement to the parliament?

**Mr ROBERTSON:** Who can forget the member for Moggill regaling us with how hard he worked in a GP clinic over Christmas, including all day Boxing Day, when everyone else was on holidays. Why was the member, who does not bulk-bill patients, working in his clinic on Boxing Day? He claims it was because the Caboolture Hospital emergency department was so stricken that it could not cope and was sending him the patients it could not treat. The statement by the honourable member is obviously contained in *Hansard*. If there is one thing I have learnt from the member for Moggill it is never to take anything he says at face value. So I checked the Caboolture Hospital records to see what happened in the emergency department last Boxing Day.

Imagine my surprise when I discovered that it was fully functional, fully staffed and operating normally. The emergency department advises that Boxing Day was a somewhat busy day and that 117 patients presented for treatment compared with the usual daily average of 92. The hospital also advises that not only was the ED fully staffed on Boxing Day but also there were actually two extra nurses on duty and an extra junior doctor on the evening shift. No patients were refused treatment or turned away because the emergency department was unable to treat them. In fact, the hospital reports the overall performance of the emergency department on Boxing Day was better than average.

Didn't the member for Moggill tell parliament he took patients because the Caboolture Hospital emergency department was so stricken patients were unable to access treatment there? Once again, the member for Moggill has been caught out being loose with the truth and misleading the parliament. These are the indisputable facts. The Caboolture emergency department was operating normally on Boxing Day. It was fully staffed and did not refuse treatment to anyone. And what about the member for Moggill's claim that the Caboolture ED was referring patients to him? Obviously the implication here is that this was because the ED was unable to treat patients. Wrong and deliberately misleading again! Patients are not directed or specifically referred to any GP anywhere. They are treated and then given information about their ongoing care options, including seeing their GP.

Hospital records show that on Boxing Day every one of the 33 patients referred to GPs for ongoing management of their condition had first been treated and then discharged by the emergency department—already treated! Once again, the member for Moggill has been caught out being loose with the truth. The statements made by the member to parliament on 28 February were not off-the-cuff remarks or made in the heat of parliamentary battle. They were carefully worded and calculated to deliberately mislead honourable members of this parliament. Given these facts—

Time expired.

### Fire Ants

**Mr HORAN:** My question without notice is to the Minister for Primary Industries and Fisheries. Minister, new fire ant restrictions take effect today in Greenbank, Waterford West, Rochedale South, Alberton and Toowong on the north side of the river. Why does the Beattie government continue the cover-up and spin of 99.5 per cent eradication when continued new discoveries lead to a never-ending expansion of the fire ant restricted zones?

**Mr MULHERIN:** I thank the honourable member for his question. The red imported fire ant is one of the world's most invasive pests. Its detection in Brisbane in February 2001 has led to one of the largest and most complex responses to exotic pests. The National Fire Ant Eradication Program is progressing well, with operations now into the fifth year of the six-year program. Areas that have received their full complement of bait treatment are now being surveyed to ensure that there are no remaining fire ant colonies. Out of the 80,000 parcels surveyed in previously treated areas this financial year, there have been 27 infested parcels detected to date. While these detections have increased the area that is required to be treated, this was expected and budgeted for in the original planning.

All the remaining colonies have now been destroyed and one extra season of bait treatment this financial year on all properties within the remaining infested areas will kill the residual infestations. This year the Fire Ant Control Centre will be bait treating approximately 6,000 hectares. This is a substantial reduction from the estimated 28,500 hectares in 2004-05 and the 72,600 hectares that required bait treatment in 2003-04. There have also been recent detections of fire ant colonies at Toowong, Waterford West and Alberton beyond the restricted areas. These detections consist of single colonies that have since been destroyed. An area surrounding each infestation will also be treated as per the established eradication protocols. Each site had recent construction with associated soil movements. It is probable that this movement is the source of the infestation rather than flight from other colonies. However, the source of infestations is still being investigated.

The Fire Ant Control Centre will be implementing a community engagement program to promote searching for fire ants by members of the public and an active surveillance program by Fire Ant Control Centre staff around Toowong and Alberton to identify whether the colonies are isolated infestations or part of a larger area of infestation. The Waterford infestation already falls within the focus area of the Fire Ant Control Centre's activities. The Fire Ant Control Centre has widely acknowledged that, despite the overall success of the program's treatment activities to date, we expect that there may be fire ant colonies yet to be found. This is why we selected the current 'Find the Last Ant' public campaign to help ensure the community continues to support and work alongside us right to the very end of the program.

Interruption.



## PRIVILEGE

### Member for Moggill

**Hon. S ROBERTSON** (Stretton—ALP) (Minister for Health) (11.17 am): I rise on a matter of privilege. Mr Speaker, in relation to the facts that I presented to this parliament in my previous answer, I wish to advise that I have today written to you seeking to refer the member for Moggill to the Members' Ethics and Parliamentary Privileges Committee for deliberately misleading this parliament.

## QUESTIONS WITHOUT NOTICE

Resumed.

**Mr SPEAKER:** Honourable members, before I call the member for Mudgeeraba I welcome into the gallery teachers and students of the Moreton Downs State School in the electorate of Murrumba, which is represented in this parliament by Dean Wells. I also inform honourable members that in November 1968 Speaker Nicholson made it perfectly clear that there must not be a repetition of questions already asked. On 20 November 1997 Speaker Turner ruled a question out of order because it had already been asked.

### International Women's Day

**Mrs REILLY:** My question is for the Minister for Environment, Local Government, Planning and Women, and I ask: could the minister please inform the House about the theme for this year's International Women's Day and how the Beattie government is helping communities throughout Queensland celebrate this day?

**Ms BOYLE:** I thank the member for the question on this special 8 March 2006. We are celebrating International Women's Day all over the state. There are those people—and I would have to say mostly men—who have raised with me the issue of whether International Women's Day is just an excuse for women to get together and have breakfast, lunch and dinner. While there are many get-togethers around Queensland for breakfast, lunch and dinner, I am pleased to inform honourable members that there is a very serious side to International Women's Day.

Throughout its history, International Women's Day has drawn attention to the major international causes of the day. Some may not know that it was over 100 years ago that International Women's Day was first convened by women in Europe. At the time they were concerned about workers' rights and women getting a fair go in the workplace. In 1913 International Women's Day was about peace. Aware of the coming conflict in Europe that became World War I, they worked hard for peace. That is the theme again for 2006 in Queensland: 'Women—Striving for a peaceful society'.

In the lead-up to this day I did some research and discovered that we have some eminent ladies who are working on international fronts for a more peaceful world. One fine example is Brisbane's Reverend Alexandra Gater, an Anglican priest and chaplain at the Brisbane Women's and Sir David Longland correctional centres and an elder in the Murri Magistrates Court. She is one of 1,000 women nominated worldwide as a single entity for the Nobel Peace Prize in 2005. Another is Queenslander Dr Zohl de Ishtar, a postdoctoral fellow at the University of Queensland who has campaigned for peace internationally for over 25 years. Another is Mia Leigh, Chairperson of the Coordinating Committee of Believing Women for a Culture of Peace and a Muslim with two Australian-born daughters. These and many other international inspirational women are featured on the Office for Women web site.

The Beattie government is supporting groups right across Queensland. To my knowledge some 150 events are occurring today around Queensland and with some grant assistance from the Office for Women. Many International Women's Day posters and other resources have also been distributed.

Finally, might I recognise another great Queensland woman, and that is our Governor of Queensland, Quentin Bryce. She is a woman of tremendous leadership with a long track record in the women's movement. She was cheered loudly at the UNIFEM breakfast attended by 1,200 women at the Convention Centre yesterday—and so she should have been. She continues to provide great leadership and inspiration to women in Queensland.

### Local Government, Cemeteries

**Mrs PRATT:** My question is also to the minister for local government. Five months after the death of their husband and father, a family endured his exhumation and reburial because local government failed to act appropriately when remains were uncovered in the grave which was being dug for him. It was only after five months of distress that a member of the sexton staff finally revealed to the family what had occurred and then council was confronted. In correspondence from the minister she stated that there are no statewide guidelines for the proper management of a public cemetery by local government. I ask: will the minister ensure that statewide guidelines are put in place so that no other family has to endure what this family went through?

**Ms BOYLE:** I thank the member for the question. This is a situation that was brought to my attention by the honourable member. It is a most unusual situation and, there is no doubt, a dreadfully distressing situation for the family involved. My present information is that it is such an unusual circumstance that I am not sure there is a cause for statewide guidelines to protect against this happening again. It is not likely to, but, nonetheless, at the member's request, I am further considering the issue of whether some guidelines should be drawn up and more widely distributed to other governments throughout Queensland.

While I am on my feet, I take the opportunity to remind honourable members of the very fine work being done around the state of Queensland by our 157 councils. Unfortunately, it is the case for the local government sector, as it is for state governments and, from time to time, for the Commonwealth government, that those who perform in some way badly or whose performance is called into question grab the news headlines in local papers and even through state coverage. Unfortunately, we have a number of councils at the moment about which there are allegations before the CMC. I have no doubt that these will be investigated and properly dealt with by the CMC in due course.

I would like to ask honourable members—and others who may follow the proceedings of parliament—to keep in perspective that we have a great local government sector. Last week I was pleased to join the Premier for the signing of the new local government-state government protocol. We have moved up to a new standard in terms of improved relations and partnerships between state and local government. Whereas previously the protocol was generally about setting up the relationship, we have now moved to the next stage where there will be regular meetings between senior officers from key departments in the state government with the LGAQ in particular. I also recognise the importance of ministers of this government and the Premier meeting with leaders from local government twice a year to recognise the very good work they are doing—

**Mr Beattie:** They know you're a good minister.

**Ms BOYLE:** I thank the Premier—but also to head off any potential problems that can sometimes occur because of a lack of understanding of the perspectives of the two tiers of government. I recognise, too, the tremendous leadership that we receive from the Local Government Association of Queensland President, Paul Bell, and the CEO, Greg Hallam.

### **International Women's Day; Female Police Officers**

**Ms MALE:** My question without notice is to the Minister for Police and Corrective Services. As today is International Women's Day, I ask: can the minister advise how the role of women in policing has changed since the first female officer was inducted to the service?

**Ms SPENCE:** I thank the member for Glass House for the question. It gives me the opportunity today to pay tribute to the 2,078 women police officers in this state who are serving Queensland's community. It is an opportunity to celebrate the fact that today more than one-fifth of our Police Service comprises female officers and one in three new recruits is a female officer. We have come a long way in this state in terms of getting women firmly employed in the Queensland Police Service.

It was only about a decade ago that we were still debating the value of having more women in parliament, and it is sad that we were still having that debate. Of course, today women are acknowledged as being very useful contributors to parliaments all around the world. In 1929 the first woman to enter the Queensland parliament, Irene Longman, did a great deal to lobby and advocate for women in Queensland. One of the things she did was convince cabinet that it should employ women in the Queensland Police Service, which it did in 1931. Two women were employed. Of course, they were not given equal pay and they were not sworn officers, but two women were employed. While Irene convinced her cabinet colleagues of the wisdom of this decision, she did not necessarily convince the commissioner of the day. Police Commissioner Ryan in 1932 bemoaned the fact that, while the first two women police officers were doing a satisfactory job, he preferred two males.

It was not until 1965 under Commissioner Frank Bischof that women were first sworn into the Queensland Police Service. Back then female officers were issued with black leather handbags as part of their uniforms, not guns or capsicum sprays as they would be these days. The women did not have the power to arrest, but they did spend most of their time working on office duties or work involving women and children.

Today our women police officers work side by side with their male colleagues and they put their lives on the line every day that they go to work, just like their male colleagues. Sadly, on Police Remembrance Day when we remember police officers who have lost their lives in the course of duty there are two women on that list—

**Mr Schwarten:** Sondra Lena from Rockhampton.

**Ms SPENCE:**—Constable Sondra Lena from Rockhampton and, sadly, last year Sally Urquhart lost her life. Women are doing a great job in our Police Service. I would like to acknowledge in the short time allowed me that today 40 per cent of our Corrective Services officers are also women. They, too, do a great job working in both male and female prisons.

### Cardwell Range; Dickson, Mr B

**Mr ROWELL:** My question is to the Minister for Transport and Main Roads. On Saturday morning, 26-year-old Ben Dickson lost his life on the infamous Cardwell Range when negotiating a blind corner only metres away from where a car had rolled a short time before. A local crane driver has said that he is called twice a week to attend incidents on the range. As the minister knows, the Commonwealth government announced funding of \$1 million to carry out planning to upgrade this range crossing. Can the minister advise if this planning has been completed and will he advise what level of priority the department gives to upgrading this road?

**Mr LUCAS:** I thank the honourable member for the question. The federal government has a funding responsibility for the National Highway. They have given us the money for the planning study, which has commenced. We expect to have it finished by early next year.

This is a complex section of road. You do not just put a road over the top of the range. In terms of the Bruce Highway, the distance north of Caboolture is the same distance as it is from Melbourne to Brisbane. We have \$210 million for the five years of AusLink—\$10 million for the first year and \$5 million for the second. It is an utter disgrace. If the federal government gave me the money to fix the road, I would do it straightaway.

But we have \$10 million being blown at Ipswich on a half northern bypass that nobody wants after we have done a joint study. We have the AusRAP report—the national report—saying that Queensland has the worst section of the National Highway in Australia. The member should not come in here and play politics over such a serious matter. The member should not come in here and play politics over how the federal government could use the funds.

**Mr SPEAKER:** The time allocated for questions has expired.

## PRIVILEGE

### Comments by Member for Cook

**Mr O'BRIEN** (Cook—ALP) (11.31 am): I rise on a matter of privilege suddenly arising. As I said to the member for Burnett yesterday, I regret and apologise for the incident involving his fiancée. As I have no contact details for the member's partner, I have been unable to offer my apologies to her personally and therefore have made my apologies both through the member for Burnett and in my public statement to the parliament today.

I am disappointed in myself. As a member of parliament I understand I should have shown greater moderation and restraint in my choice of words. I unreservedly apologise for my behaviour.

For the record, I strongly reject any claim that I yelled or attempted to charge or otherwise physically or emotionally intimidate the member for Burnett's partner.

## INTERNATIONAL WOMEN'S DAY

**Hon. D BOYLE** (Cairns—ALP) (Minister for Environment, Local Government, Planning and Women) (11.31 am): I move—

That this House—

- Recognises that 8 March marks International Women's Day and notes the Queensland government is celebrating this important day under the theme of *Women—Striving for a peaceful society*;
- Honours the significant contribution and achievements of women through the generations taking action towards peace across communities all over Queensland.

I am honoured indeed to be the minister for women and I am pleased to speak about the fine contribution that women are making not only in this parliament but throughout the state of Queensland. I am pleased to hear, too, that so many members of this parliament have wanted to join in the debate on this motion but the time limit has required some to be refused that honour.

In the few minutes in which I have to speak, I would like to recognise the gains that women are making on various fronts. This morning I attended the Queensland Resources Council's first breakfast to recognise and to promote women in the mining industry. I am pleased to say that similar initiatives are underway by the property industry and the automobile industry. In years gone by those industries were dominated by men, but I am pleased to say at last the fellows who occupy leadership roles in those industries are recognising that women are a tremendous resource and that their participation should be encouraged not simply because of access and equity issues but also because women's participation will increasingly benefit their industries.

But we continue to work on the difficult issues. The federal government's Welfare to Work reforms are an abomination. Their impact on pensioners, and particularly on women and single mothers, is horrific. An analysis by the Australian Council of Social Service indicates that, under the reforms,

approximately 300,000 Australians will be worse off, including 150,000 children, particularly those who are part of single parent families, of which 87.7 per cent across Australia are headed by women. There are particular concerns about women who may be deemed to have breached their new so-called contract with the federal government and who will be left with no income. As tragic and as difficult as that may be for those women, it is more tragic if their children are to be punished in some way for their mother's perceived failure. That children in single parent families may have no means of support due to these so-called reforms by the Commonwealth government is indeed a diabolical stain on the Commonwealth government's reputation.

On the health front, there is much more we can do to assist women. For some unknown and not understood reason, the federal health minister, Tony Abbott, is refusing to expand the Medicare provisions to allow the rebate for cervical screening performed by practice nurses working in GP clinics across Queensland. That, too, is a nonsense. I call on the federal health minister, Tony Abbott, to change his mind on that matter.

I am proud indeed that our Minister for Health has taken forward the concerns of the Maternity Coalition and is reviewing entirely the delivery of maternity services in Queensland. The former minister for health established a review of maternity services. Since then we have had the report, which was released in May last year, recommending changes and priorities. Many of those recommendations are being acted on promptly. As a government we have undertaken to follow through with an implementation plan that will consider particularly the poor outcomes that have been experienced by Aboriginal and Torres Strait Islanders, the care of women who live in rural and remote areas and postbirth care.

I am pleased to say that in Cairns the options for home birthing or alternative birthing centres is a matter of wide discussion. I look forward to supporting the Minister for Health in his further examination of these options, which I have no doubt can be healthy and safe for women and their babies as well as provide maybe even cost-effective care for the women of Queensland. I commend the motion to the House.

**Miss SIMPSON** (Maroochydore—NPA) (11.37 am): I am delighted to second this motion. Women have fought hard to win their places in parliament. Over the past 100 years they have fought discrimination, ignorance, hostility and abuse—and many still do. On a world average, women make up only 16.4 per cent of the members of parliament—a total of 7,195 women. In Australian parliaments, women make up a total of 24.7 per cent—37 seats represented by women out of 150 seats in total. Australia is ranked 29th in the world in relation to the number of women in parliament. New Zealand is ranked 15th in the world in relation to the number of women in parliament with 32.2 per cent of seats in parliament represented by women. Women still have a long way to go in Australia and the world. Australia is yet to elect a female Prime Minister.

Our first woman elected to parliament was Irene Longman in 1929. There is a portrait of her in our state parliament that was commissioned last year. However, in the 60 years since, only 10 more women have been elected. From 1989 to 2005, 39 women have been elected to the Queensland state parliament, which is 33.7 per cent of the seats in parliament being represented by women.

A change in attitude towards women, better education and a long-term acceptance that women make a valuable contribution to society is now mainstream thinking. There have certainly been major factors involved in increasing the number of women in parliament, but there is still a long way to go.

We have also seen very high participation by women at the local government level. I do not want to ignore this aspect of female representation, because local government plays a very significant role in our communities. There can be a tendency—certainly from some in the academic field—to forget that the role of women in communities and in local government is at the very grassroots of shaping our communities. The active representation of women at that level has been quite significant.

As I mentioned earlier, this year is the 20th anniversary of the first woman member in the cabinet and the 10th anniversary of the introduction of paid maternity leave in the Queensland Public Service—something which was achieved under a coalition government. That was spearheaded by our first female Treasurer, Joan Sheldon, who was also the then minister for women's policy. That was a significant introduction of a benefit to families here in this state that the coalition is proud to have initiated and implemented in its first budget.

But there is still much to be done if women are to have a clear and strong voice. Not only does there need to be equality of representation; there also needs to be recognition that there are special issues. We in the First World need to look to our neighbours and others in the Third World and realise that the issues that they face can be quite dire—issues of poverty, poor healthcare and lack of education are quite severe. Certainly the AIDS epidemic in Africa and other parts of the world has hit hard, and it is women who are often left in the critical caring role and economically disadvantaged as the family unit is ravaged by such diseases.

There are still a lot of issues in our immediate region about which we need to raise public awareness in our regional parliaments—certainly the National Parliament of Papua New Guinea and the Pacific area. I put to this parliament that I believe we can take a more active role as state members, and

certainly as women members of this House, to champion the issues of our neighbours and support not only elected members but also community groups and look for better ways to form support networks in those regions at the local level.

While there are many issues in the Third World, we have immediate neighbours who have issues. If we look at what we have gained and how we have benefited, I believe that we can reach out and support our neighbours as they seek to bring about not only greater equality for women but also higher standards of living for their family and better standards of education and general services for their community. I know that that is a way forward for peace in our region, particularly through education and greater economic empowerment of women, who are often at the forefront of supporting their family's needs.

**Ms STRUTHERS** (Alger—ALP) (11.42 am): International Women's Day is a great day to acknowledge the value and achievements of women. It is opportune that the Queensland Skills Plan was launched today by the Premier and the Minister for Employment, Training and Industrial Relations and Minister for Sport, Tom Barton, because there are a lot of goodies in that plan for women, and I want to outline some of them.

The plan really transforms the vocational education and training system in Queensland. I want to note some of the key highlights in the plan that will benefit women. Women thinking of entering small business will benefit from information and new training opportunities offered through the new Small Business Solutions Unit within TAFE Queensland. Young women, particularly young women in my local area, will benefit from the new 'try a trade' TAFE facility that will be established at the new trade and technical centre in Acacia Ridge. That is an excellent way to explore career options, and I urge young women to think about the non-traditional trade options as well. We all know that the traditional women's areas of hairdressing and child care, while invaluable, are the lower paid areas. I urge young women to think about some of the non-traditional trade areas, particularly to get the rewards and the benefits that come with those better paid trades. They are skill shortage areas, too, so we need young women to think about those options.

Thousands more women across the state will be able to access face-to-face information and referrals about vocational education and training, apprenticeships and other career options through 17 more Skilling Solutions centres in Queensland, bringing the total to 24. They are great facilities. I have seen them in operation—the new one in Rockhampton and the one at Logan TAFE. They are a great way for people to find out how they can retrain in a new area of activity.

Harassment in the workplace, particularly for apprentices, is one of the issues that causes young people to leave apprenticeships. A study conducted by the Department of Employment and Training showed that over one-third of apprentices had considered dropping out because of poor practices and harassment. One of the new initiatives in the Queensland Skills Plan will address these poor workplace practices and workplace harassment that sometimes occur, particularly for female apprentices. So I am telling young women to have a go at some of these non-traditional areas and be assured that we are putting in place more provisions to protect women from harassment. Harassment is not in every workplace but it is certainly prevalent enough for us to be concerned about it.

Women respond best to programs that are specifically designed for them, especially in the non-traditional areas. The new Skills First Program will see personalised training and learning plans developed for women, taking a whole-of-life approach to their personal requirements. Training will also incorporate employability skills, and this is important for women, particularly those who have been out of the workforce for a while due to child-rearing activities. Those long absences can cause women to lose confidence, so these personalised programs will be of great benefit to women.

We know that women are more disadvantaged in the workforce in the main compared to men. Under the new Skilling Queenslanders for Work program, which will be a new phase of the previously known Breaking the Unemployment Cycle program—the very successful BUC program—women in their role as parents and carers, mature age women and women who have been employed on a casual basis or in intermittent work will particularly benefit. We are targeting programs through Skilling Queenslanders for Work that will particularly support women who have been disadvantaged in the workplace.

The Queensland Skills Plan provides women and young women with a very integrated approach, a personalised approach, to their needs. I congratulate the minister, his staff and officers of the Department of Employment and Training, and the key stakeholder industry groups—trade unionists and others—who have contributed to that plan. It is an excellent plan. It is much needed in Queensland. It is innovative. It is targeted at where people need the support and at reforming TAFE and other areas. I commend its activities. On International Women's Day, I commend the benefits in the Queensland Skills Plan for women.

**Mr HORAN** (Toowoomba South—NPA) (11.46 am): It is an honour and a privilege to take part in this debate today. I endorse the words spoken by our shadow minister. She spoke about the significant achievements of people such as Joan Sheldon, the first deputy premier of this state, and Yvonne Chapman, the first cabinet minister, and she also spoke about the introduction by the coalition

government of paid maternity leave in the Queensland Public Service. But I think today we are really focusing on women overall, not only what their achievements have been but also what we should strive for in the future to give the women in our community every chance and every opportunity.

As the shadow minister for primary industries, I want to speak about rural women and the amazing and fantastic role that rural women have played over the generations. Not only have they raised their families in what would have sometimes been difficult circumstances due to the vagaries of the weather—the droughts, floods, pestilence and so forth—and fluctuating commodity prices; in many cases they have also seen to their children's education and been intimately involved in the running of the farm operation.

I can well remember when my wife and I went to a dairy farm in the early 1970s in the Gympie district in the Mary Valley. There were five farms in our pocket of the Mary River. I was quite amazed at the involvement of all the women in the running of their farm operations and at the fulfilment and confidence that they had because of their major involvement in the business. In fact, most of those farming operations just could not and would not have existed had it not been for the women who were arranging the vets, doing the herd recording and the accounts, running in and out of town to get parts, helping pull calves out, helping to milk, helping to feed the calves and helping with just about everything but, at the same time, getting the kids on the school bus, worrying about where the next dollar was going to come from when the cattle prices crashed and the milk price went down, taking part in P&C organisations and so forth.

I think one of the amazing things in the rural industry of recent years is the number of young women who have moved into consultancy positions in agriculture. Particularly in the cotton industry and the agriculture industry, there are a number of young women who have moved into organisations like AgForce and QFF and who are playing major lobbying roles. That is backed up not only in many cases by their rural background but also by a university degree or qualifications that equip them very well for the job.

There have been amazing changes in society over the last two or three decades. All young women now—hopefully, all young women—go through to grade 12 and they have the opportunity to go to TAFE or university. I remember as a father when my daughter got her degree hoping that she would be able to use that degree and that it would be fulfilling to her. Young women now often have their families later, but when they do have their families they want to return to their career. They want to do what they have been trained for. That brings about the need for child care.

I think child care is one of the most important things in our modern society. We need flexible child care. I congratulate organisations like the Kath Dickson Family Centre in Toowoomba. Kath Dickson was a pioneer when she introduced child care into our city, and indeed into Queensland. She was the first female principal in Queensland. Child care is absolutely essential to the modern family and for the care of children.

I also believe that the care of children with disabilities is important. All of us have probably struck young mothers who are absolute heroes in the way they care for their children who have a disability. Often they are trying to look after them and the rest of their family while sometimes holding down a part-time job, but mostly they are not in a position to be able to work. I think all governments should aspire to assist in that regard. I also commend Young Women's Place in Toowoomba on the successful battle it finally won to get a full-time midwife to help young women through their pregnancies.

I want to finish by talking about the importance of motherhood and family. Whilst we all talk about careers and degrees and study, one of the greatest professions of all is motherhood. We should never, ever devalue the wonderful work that women do in bearing children, in raising children, in looking after not only their children but the rest of their family. Very often in modern life they now have to juggle that with the fast pace of life, jobs, careers and other things. Anything that we can do to ensure that motherhood is safeguarded, protected and supported, particularly in areas like child care, is our task for the future.

**Dr LESLEY CLARK** (Barron River—ALP) (11.52 am): It is with great pleasure that I rise to support the motion proposed by our minister for women, Desley Boyle. The theme of International Women's Day this year in Queensland is 'Women—Striving for a peaceful society'. I would like to begin by thanking all the women in Cairns from diverse backgrounds and organisations who participated in an activity at our annual International Women's Day breakfast last Saturday, when Mena Crew was awarded the Cairns City Council IWD award for her wonderful voluntary work supporting women with breast cancer.

I invited everyone to use our Office for Women materials and create doves with a message for peace, like those I have here today. The women of Cairns responded with many wonderful messages and I would like to share just two of them with members today: 'Peace, let it not be an impossible dream' and 'May peace prosper through the women of the world'. I look forward to seeing these and many more peace doves with inspirational messages from the women of Queensland displayed later today in the parliamentary precinct. I thank the Speaker for his support for that.

I would also like to take this opportunity today, when we focus on the achievements of women, to pay special tribute to the female MPs in the federal parliament from all parties who supported the women of Australia and took away the federal health minister's right to veto their access to RU486—the drug used by millions of women around the world to induce a safe medical abortion. In particular, I pay tribute to the four women senators who put aside party political affiliations to cosponsor the bill that gave control of RU486 to the Therapeutic Goods Administration rather than the federal minister for health. They were the Democrats Lyn Allison, National newcomer Fiona Nash, Liberal Judith Troeth and our own Labor Senator Claire Moore. They worked tirelessly, both together and within their own parties, to deliver a final, decisive vote across both the House of Representatives and the Senate of 140 votes in favour and 78 votes against the bill. While the support of many men was welcome, not surprisingly, it was the women parliamentarians who delivered this victory with 82.2 per cent of female MPs across both Houses voting in favour of the bill.

There is another woman who deserves recognition and sincere thanks for her courage and determination, because without her the debate would never have occurred in the first place. I am talking about my Edge Hill constituent, Cairns obstetrician and James Cook lecturer Professor Caroline de Costa. It was Professor de Costa who initiated the public debate on RU486 following the publication of her article in support of medical abortion in the *Australian Medical Journal*. In the last few months she has personally pursued the issue both publicly and professionally, including lodging an application with the Therapeutic Goods Administration to administer RU486 herself.

I have been very proud to support Professor de Costa in her campaign in a range of ways including facilitating the processing of her application from the Cairns Base Hospital through Queensland Health to the TGA. I acknowledge that the issue of abortion is a very emotive one, but today I would like to put on the record that for me abortion is matter for a woman and her doctor—end of story. No woman makes such a decision lightly. I have not been in that position myself, but I know women who have and it is always a traumatic decision.

In Queensland there will be, as there is in every Australian parliament, a range of views about the morality of abortion, but on one thing I am sure we all agree: we must do more to reduce the number of abortions that are performed each year. To achieve this goal, I believe we need to take our heads out of the sand and make sex education in our schools mandatory or we risk failing our young people, particularly young women, by not giving them adequate preparation to control their own fertility.

I would like to spend more time on this issue this morning, but as there are time constraints I will leave it to another opportunity. I appreciate that this will not be an easy task, but I do not believe that we can any longer ignore the present unsatisfactory situation. There are simply too many lives at risk.

**Mrs LIZ CUNNINGHAM** (Gladstone—Ind) (11.55 am): It is a privilege to rise to speak in this debate. I believe 'Women—Striving for a peaceful society' is a very appropriate and apt topic to celebrate this year. There are in all of our electorates a few women who in an extreme situation could be used as people who stir up strife. I am pleased to say that the vast majority of women do not. We celebrate today not only the women of today but also the women of the past and some of the men of the past who showed unflinching drive in their efforts to have the achievements of women recognised.

I am going to name just a couple of women in my electorate, and in doing so I certainly am not excluding others nor diminishing their contribution to our community. We do have a wonderful community of women. They are women of vision, drive, dedication and energy, and they are on a daily basis adding to the strength and the cohesiveness of the electorate of Gladstone.

Jacqui Johnson is a person whom I regard as a real peacemaker. She is one of our more prominent Aboriginal elders and she represents the Aboriginal community at a number of functions. Her contribution to those functions is never divisive; it is always holistic. It is always a collaborative contribution and one in which she includes all people in the community, usually in a greeting of peace. I have a great deal of respect for Jacqui, and I look forward to working with her for a long time to come.

Most of those who are great achievers in our community are quiet achievers. We do not see them on the front page of the paper. They are the wives and the mothers. They are those who quietly assist in the area of disabilities—in those areas where people have very significant needs but personal needs and, therefore, cannot be dealt with in the public arena. Another great example in my electorate is a lady called Judy Young. She adopted and raised a son with a significant disability. She has other children as well. Judy showed a tenacity along with her husband, John, that epitomises, I believe, the dedication of parents to their children, irrespective of the gifting of those children. Judy now works full-time in the area of disabilities in providing support and autonomy to young men and women, and older men and women, in the community who perhaps face challenges that the rest of us do not have to accommodate in our day-to-day lives. She is a great example of a woman with great compassion, ability and dedication.

We have organisations like the Women's Health Centre and organisations where the vast majority of volunteers are women such as Meals on Wheels, Red Cross and the hospital auxiliary. All of those organisations in the main have women prepared to give voluntarily, freely and generously of their time to ensure that our community can continue to operate in a compassionate way.

Overwhelmingly, I think the strength of women is epitomised in our mothers. I would like to take the opportunity to perhaps be a bit parochial and commend my mum, because she has been a woman of courage who married during the war and raised her children in fairly difficult times. But she has been unflinching in her support, and I cannot say enough how much I honour and love her. We have been blessed with three wonderful daughters. They are women of courage and value. They are people in whom I have a great deal of pride and really enjoy spending time with.

I believe that the strength of the theme this year—'Women—Striving for a peaceful society'—is purely the fact that most women do strive for a peaceful society. We are peacemakers. We do have a great deal of concern that the community that we nurture—the community that we love—is one of peace that provides a society, and a societal fabric, in which our children want to grow up.

I finish by saying that while women have those goals, so do men. It is as a society of equal balance, as a society in which we respect one another—whether we are men or women, whether we are adults or children—that the real peace that we are striving for will be achieved. Real peace will be achieved when we value each other for our strengths rather than diminish one another because of perceived weakness.

**Ms LIDDY CLARK** (Clayfield—ALP) (12.00 pm): International Women's Day. Before the woolly-thinking misogynists nod off completely, I wish to reassure them that I am not going to launch into a diatribe outlining the hundreds of years of struggle against oppression and disempowerment that International Women's Day acknowledges and celebrates. I assume that, as 51 per cent of their constituents are women, they would have shown women the courtesy of doing thorough research into the history of that struggle, even those who support the John Howard ideal of a woman barefoot and pregnant in a 1950s kitchen.

I would like to say a little bit about the day itself. Held on 8 March each year, the day is also commemorated in the United Nations and in some countries is a public holiday. The first National Women's Day was observed across the United States on 28 February 1909 as part of the peace movement brewing on the eve of World War I. Russian women observed their first International Women's Day on the last Sunday in February 1913. Elsewhere in Europe, on or around 8 March of the following year women held rallies either to protest the war or to express solidarity with their sisters. Australia caught up in 1928 with a rally in Sydney's Domain.

International Women's Day has been around for a long time, and that presents us with an extra challenge. The importance of the day must not be lost because of repetition. Yes, it is an annual event, but, unlike other annual events, it is not a celebration of a single historical event. It is not a day of barbecues and beaches punctuated by remembrances of the past. It is a day of activity and action. It is a day that not only acknowledges the past but also examines the present and looks to the future.

International Women's Day is a time for all women to look at our participation in our communities, our country and our world. The government's theme for IWD 2006 is 'Women—Striving for a peaceful society', a clear reflection of the proactive participation of women. We strive for peace in a world all too plainly in the grip of male driven conflict, where acquisition and accumulation are the measure. In a world where so-called ideals are argued with weaponry and imposed with troops, women strive for the peace that allows human values such as respect and tolerance to be held up as laudable aims.

There is nothing tokenistic about International Women's Day. Woe betide anyone who believes that the recognition such a day offers is enough for us. It is not just about equality and equity between the sexes; it is about redressing a much greater imbalance. It is about a world vision that values people over power and compassion over conquest. That is what this 8 March is about. We are not going to sit around with cups of tea and say, 'Thank God for Caroline Chisholm.' We do not have the time; we have a world to change. Happy International Women's Day.

**Mrs REILLY** (Mudgeeraba—ALP) (12.03 pm): I, too, am delighted to rise in support of the motion moved by the minister for women, Desley Boyle, and to support the theme 'Women—Striving for a peaceful society'.

Very quickly, I want to join with the member for Gladstone, who thanked her mum, and say that I really, really deeply want to thank my mum, my mum-in-law and all the wonderful women in my life who have made it possible, and make it possible, for me to be here every day, as a mother of a fairly new young woman, a nine-week-old baby girl, who will one day, I am sure, provide her own contribution in some fantastic way to society. There are too many women in my life who help me to name all of them. Margaret, Eunice, Snez, Olga and Fiona—the three godmothers—and all my fantastic friends: thank you for the support you give me.

Nearly every year on International Women's Day I attend a function at Numimbah Correctional Centre, at the women's centre. Girls, I cannot be with you again this year because parliament is sitting, but I wish you a great International Women's Day celebration. As I tell the girls there every year, I look forward to the day that they are strengthened, emboldened and ready to make a contribution to our society again.



I have been fortunate to travel over a lot of Queensland and see lots of communities here and overseas, but I think Queenslanders are the very luckiest people in the world. It is not about the scenery or the natural environment; today it is about the people in those communities. It is about the women. The women in our communities are the ones who are the very fabric of our society. They are working at the grassroots level supporting, nurturing and helping their communities. They are the peacemakers. They are the women from the Queensland Country Women's Association, local community associations, P&Cs, sporting clubs, Girl Guides, Scouts, church groups, community kindergartens, rural fire brigades and myriad other volunteer organisations too numerous to name. They are the women who hold our society together, who promote and maintain peace through their actions by helping people in need, cooking for and feeding their neighbours and visitors, cleaning, repairing, beautifying our communities and setting an example for our youth by showing true grit and determination while going about their work quietly and without fanfare. They give comfort to the distressed and companionship to the lonely. They embrace the disenfranchised and disadvantaged. They share their homes and possessions, and give unconditionally without expectation of anything, even recognition, in return.

I could not find a way to personally thank the many wonderful women I have met over the years and the many wonderful women of my electorate, so I held a small event in Mudgeeraba to mark International Women's Day this year. I distributed peace doves that were provided by the Office for Women. I gave them to the Mudgeeraba Village Community Kindergarten, the Mudgeeraba State Special School and the Mudgeeraba Girl Guides and asked the girls to decorate and colour the peace doves to display them at the Mudgeeraba Market Shopping Centre, which they did. They were individually decorated. They were absolutely beautiful. We have displayed them in the shopping centre. I thank Lesley Docherty and Mike Mogill from the centre management at Mudgeeraba markets for their support and for helping me string the doves. I also want to thank Amanda Webb and my staff, but I especially want to thank all the girls who painted and decorated the doves and the teachers and supporters who helped them.

Women have a long history of working for peace in our communities. We can see that in our local communities in Queensland. I wanted the young people in our community to remember that this is something women do, that International Women's Day's theme this year is peace and that it is up to each of us to create a peaceful society. I hope that when the shoppers see the doves at Mudgeeraba markets they take a moment to reflect on the fact that the peace doves are just one symbol of the work that women do and are a symbol of peace that we should all be aiming to achieve.

**Mrs STUCKEY** (Currumbin—Lib) (12.07 pm): I am very pleased to contribute today, on International Women's Day, to this debate. Women make up just over 50 per cent of the world's population. It could be said that this is the beginning and almost the end of gender equality, despite the fact the United Nations recognises that gender equality is a human right.

Recently I listened to the Federal President of the Liberal Party, Chris McDiven, speak in a forthright and intelligent manner at a function. I am including some of the statistics that she shared with us. The worldwide gender gap in education means that nearly twice as many women as men are illiterate. It is estimated that 600 million women are illiterate. In many countries, women and under-age girls are married against their will. Violence against women and girls is tolerated and in too many communities is considered as normal. In some countries, rapists are exonerated and the victims are jailed. Frequently women are denied equal rights within the family and marriage to property and inheritance.

Women pay a particularly high price where gender based violence is concerned. This ranges from domestic confrontations, that leave millions of women in fear in their own homes, to harmful practices such as female genital mutilation, to dowry related violence and the trafficking of women across borders to service the sex trade.

Without doubt, education is the biggest key to change here. Education offers opportunities to acquire knowledge and skills, but education alone is insufficient. To expand women's opportunities and to ensure women have the freedom to have control over decisions affecting their everyday lives there must also be in place supportive social institutions and systems at all levels of society.

However, women have the following in their favour. It is widely recognised that women use their emotional intelligence to collaborate rather than to compete. Women tend to seek out consensus on an issue rather than a win or lose outcome. In addition, women tend to bring a nurturing principle into policy making and everyday life which frequently suggests a different response not only to questions of justice but also to issues such as defence, nuclear power and the environment, in addition to the obvious family issues such as child care.

At a time when the world seems to be hell-bent on self destruction, I ask members to consider whether a significant increase in women in positions of power would change things dramatically and bring about peace. As far as the contribution of women to policy making on the world stage is concerned, women only hold 16 per cent of national parliamentary seats. Only 19 countries can boast of more than 30 per cent women in parliament and we are not one of them.

In reality, Australia is still predominantly a male dominated world. If we watch the TV, listen to the radio and read the daily newspapers we will see, hear and read about men doing things. Still in 2006 we read about men having more car accidents, men going to jail for violent or corporate crime, men shooting each other in gang wars or in war, men playing football, golf or cricket—which I have to say is really great to watch—and men running nearly all of our businesses. I note an article in today's *Courier-Mail* relating to glass ceilings. It is stated—

The sticky floor concept is that women are stopping themselves from taking steps up the ladder. It's a question of self confidence and self belief.

I came across a woman who certainly had that self-belief and she did not even believe in such a thing as a glass ceiling. I speak of Mary McConnel who enjoyed a well-bred upbringing in Scotland. Sailing into Moreton Bay on 1 May 1849 aged 25 she reflected in her diary, 'It seemed to me really we had come to the end of the known world.' A woman of great faith, once arriving at her husband's property which is now where suburban Bulimba is, she wondered what her future held but knew there was a reason somewhere.

Mary was the mother of six and a grandmother who suffered the heartache of seeing two sons die as infants. One afternoon in 1877 a group of women gathered at Witton Manor, the home of the McConnells in Indooroopilly, and Mary McConnel revealed she had an idea and needed their help. At this time there was only one hospital for sick children in Australia and that was in Melbourne. Infant mortality was high, with nearly half the children born in Brisbane dying before their fifth birthdays.

On 11 March 1878 the Hospital for Sick Children was established in Brisbane—ultimately becoming the Royal Children's Hospital—as a result of Mary McConnel's persistence. In 2002 infant mortality in Queensland had been reduced to 5.8 deaths per 1,000 live births, a far cry from the number who died in the past. There is plenty to be happy about for women as current achievements are at levels that women 100 years ago would have only dreamed about. If we had equal participation for women at all levels it would also mean that we are making use of the talents and skills available in the total population and not just that of one-half as we see today. I say to women everywhere, 'Be courageous and use the talents you possess for the woods would be very quiet if the only birds who sang were the very best.'

**Ms STONE** (Springwood—ALP) (12.13 pm): I am very pleased to rise to speak in support of the motion before the House on International Women's Day. As chair of the minister for multicultural affairs' legislative committee, I would like to acknowledge the contribution women from multicultural backgrounds make to our society. Queensland is home to many thousands of people from diverse backgrounds. Queenslanders come from at least 200 birthplaces, speak about 150 languages and identify with more than 100 religions. Within these ethnic communities there are many women who are playing very important roles and making a great contribution to our state. Examples are women such as Jeannie Mok and her work with the multicultural community centre.

**Mr Cummins:** Hear, hear!

**Ms STONE:** I note the minister also acknowledges Jeannie's hard work. Galila Abdel Salam, Kalo Blaxland and Phuong Nguyen are other examples and the list goes on and on. There are range of women's groups within these communities.

A particular example is the Islamic Women's Association, which is taking a significant leadership role in promoting the understanding of Islamic and Muslim issues. The association was established in 1991 to cater for the unmet needs of Muslim women and their families, including their husbands. IWAQ services a multicultural community with people from Europe, Africa, the Middle East, the Indian subcontinent, Asia and the Pacific. With approximately 15,000 Muslims in Queensland and more than 10,000 in Brisbane—mostly on the south side—

**A government member** interjected.

**Ms STONE:** I will take that interjection. The south side is a great part of the world. That is where I grew up. The Islamic Women's Association of Queensland is fulfilling an important social and service delivery role and is working effectively with government to support the needs of Queensland Muslims.

I would also like to acknowledge women in technology. ICT is one of the Smart State's most dynamic and rapidly evolving industries. The Queensland government is committed to supporting programs and initiatives that are breaking down the false stereotypes of ICT as a nerdy, boring or male oriented industry. Women currently make up around 30 per cent of the industry. I know that the minister for IT policy is keen to see that level rise.

The fact is that ICT offers exciting, well-paid and rewarding careers that are both interesting and creative. We want more Queenslanders of both genders to get involved. I inform the House that on Monday I presented awards at the Shailer Park State School captains' ceremony. Cassandra Hanson was announced as the ICT captain for the school. It was very nice to see a young lady being given that role.

I also acknowledge the important role that organisations such as Women in Technology play in encouraging women into the industry and in promoting ongoing professional development. I know that its annual awards consistently attract a high calibre of entrants across all categories and the winners go on to have a very positive impact on the industry. Hopefully, their example serves to encourage more into the industry.

Our future as Australia's Smart State relies on our continued ability to generate new ideas, to get creative and to look at new ways to do what we have always done. That means that as a government we will need to continue to initiate and support programs where our people, especially women, are given every opportunity to grow professionally. I take this opportunity to thank all the women in the Springwood electorate for the work that they do. I am not going to list all the groups and all the women that I could go on and on about. I say to them, 'Thank you very much for your great work and for making Springwood such a great place to live.'

The future is certainly exciting for women in Queensland. We have the talent, the expertise and, most importantly, the drive and commitment that will help us build a solid economic future. That will benefit us all.

**Mrs MENKENS** (Burdekin—NPA) (12.16 pm): International Women's Day is celebrated by women's groups all around the world. This particular day is commemorated by the United Nations and in some countries is a national holiday. International Women's Day had its origin in the United States at the beginning of the last century. The proposal was greeted with approval from 17 countries at a meeting in Copenhagen in 1910. It has gained worldwide acceptance since then.

The campaign to promote and protect equal rights for women has been championed by the United Nations since 1945. Since then the United Nations has helped create standards, programs and goals to advance the status of women worldwide. I am proud to be an Australian. I am proud to be in Australia where women do have equal rights and empowerment, where women are respected and able to stand side by side with men as their counterparts in all areas of leadership, work and family life.

We must acknowledge that major changes did occur during the last century. It is less than 40 years ago that female teachers were paid less than a male's salary and were expected to resign when they were married. I know because I was one of them. In fact, in many ways, women, I believe, are more than equal in Australia today. I certainly appreciate the respect afforded to me by having a door opened for me, being given the courtesy of going first or being offered a seat vacated by a man. As well as having fully equality in the workforce, it is a privilege to still be offered such courtesies. Might I add that it is still an expectation in our community that women be treated with respect.

Sadly, across the world there are many countries where privileges are not afforded to women. The privileges that I just mentioned are simply unheard of. Due to cultural practices and beliefs, disadvantaged living conditions and ignorance there are many women whose lives are very different from ours; whose living standards and physical treatment are such that we could not conceive them. International Women's Day plays a very significant role in helping to bring worldwide recognition to the plight of women in many developing countries that still do not recognise their rights.

It is a day when women worldwide come together to alert public opinion and help towards changing the status of those underprivileged women. To this extent, there are many women's organisations working in conjunction with the UN to advance the status of women. One of these organisations of which I am proud to belong—and I am aware other members of this House are as well—is Zonta International. Zonta International is a worldwide service organisation working together to advance the status of women locally and globally. This morning my Zonta Club of Burdekin held an International Women's Day breakfast function. This is a very successful annual event—and it is one held by other clubs across Australia as well—with the proceeds going towards UNIFEM, which is the United Nations Development Fund for Women. Zonta International works very closely with the UN and has done so since 1946. As an international non-government organisation, Zonta brings women's concerns to the UN, suggests solutions, draws public attention to issues and encourages its members to participate at the local level.

As well as many worthwhile local projects, some of the international projects are very worthy of attention. Many of these projects illustrate the plight of so many women in underprivileged circumstances. One of these projects has been Zonta's commitment to preventing and eliminating female genital circumcision. This is a horrific practice that is undertaken in many countries. In conjunction with UNICEF, Zonta International has made significant progress in this area. Another project in conjunction with UNICEF is the elimination of maternal and neonatal tetanus in Nepal. This disease is very prevalent in many countries as knowledge of sterile procedures in childbirth is often unknown. The project provides critical resources to initiate elimination efforts targeting over 600,000 women for immunisation against tetanus.

The program also focused on education to promote clean birthing practices. I doubt that many of us can ever really imagine the primitive circumstances under which so many women give birth. To this extent, there are many Zonta clubs Australia-wide that are involved in packaging special sterile birth packs to provide to these women. The packs consist of sterile plastic sheets that the women can use

during birth as opposed to giving birth on dirt floors which animals have frequented. The packs also contain various pieces of surgical equipment. I have been part of working bees putting together these packs at a local level. That these types of projects worldwide can be accomplished by assistance on a local level is probably one of the important areas that International Women's Day actually highlights. While we celebrate what we have today in Australia, I also applaud the efforts to improve women's rights throughout the world.

**Ms CROFT** (Broadwater—ALP) (12.21 pm): It is my pleasure to rise to speak to the motion moved by the Minister for Environment, Local Government, Planning and Women that acknowledges this very special day—International Women's Day. International Women's Day has been celebrated around the world for over 90 years and on 8 March 1977 the United Nations established an official International Women's Day. This day is an opportunity to reflect on advances towards women's equality and the gains women have made over the decades. Many of these achievements have only been made possible through hard-fought battles by women, many of whom have gone before us.

Last year we celebrated 100 years of women's voting. In Queensland the Electoral Franchise Bill giving women in Queensland the right to vote was introduced in the Legislative Assembly on 5 January 1905. The Hon. EB Forrest argued his case and reason for opposing the Elections Act Amendment Bill 1905 when he said—

I am confident you would never get a woman to go to a polling booth at a general election when things are rough occasionally.

I do not mean rough in an offensive sense, but it is a rough and tumble at best, and it is very distasteful to women to have to squeeze through the crowds outside the door to record their votes.

Mr EB Forrest is probably turning in his grave today, with women not only surviving the rough and tumble of polling booths but being campaign managers, handing out how-to-vote cards, writing policy and of course outside of politics women are managing banks, running their own businesses, working mums and taking on a whole range of roles.

I am pleased that these days there is a lot of support for women and girls partaking in decision making. Attending the fifth session of the United Nations Commission on the Status of Women, Forum Secretary-General, Greg Urwin, has been reported by Pacific magazines as saying—

Giving women a greater voice in national institutions can have a positive effect on development because it maximises democracy and brings in fresh ideas and perspectives to bear on policy decisions—which in turn leads to more gender-responsive allocation of public resources.

Women in Queensland and right around the world, however, are making their mark and actively working towards change, often through adversity. On this day in Zambia a Congolese refugee women's group, Mapendo Women's Cooperative Society, will be presented with one of the UN's World Food Program's most important annual awards for its lead role in a milling operation in Kala camp in North Zambia. Today is the day to acknowledge that work but also to give voice to the many other issues that still cause pain to women and their families and present hurdles for women to move forward to success, employment opportunities or even a peaceful and individual life.

On this day in Toronto Canada the issue for women is child care, with the Ontario Federation of Labour joining child-care activists and parents to lobby the Prime Minister for more child-care places. On this day in the UK the Public and Commercial Services Union will lobby MPs to address the issue of gender pay gap. In Zambia a statement issued by the Women's Resource Centre and Network reminds us that, more importantly, we must continue collectively to bring these issues to the forefront. It reads—

Violence against women, increasingly ending in death, continues to negate all efforts made to ensure that women become actively involved in decision making, not only in the public sphere but also at a family level.

In communities right throughout Queensland community organisations and government sectors are also doing what they can to bring these issues to the forefront of the public and legislators. I take this opportunity today to pay tribute to the wonderful teams at the domestic violence prevention centre and the Gold Coast Sexual Assault Support Service on the Gold Coast. I join with my Gold Coast colleagues in congratulating them on the work that they do. We are well aware of the amount of work that they do, working in with a number of public sector government organisations. They do a fabulous job. I also congratulate Josephine Tobias and the team at Women at Work who have put together a wonderful suite of events for Gold Coast women to attend to celebrate International Women's Day.

There is one lady who I want to make special mention of, and that is Marg Williams, a local resident of Paradise Point. There are so many people I would like to mention, but I am sure that people in Paradise Point would agree that this lady is worthy of mention. Marg Williams was the founding president of the Moncrieff U3A. Now in her 70s, she is battling with Parkinson's. But her strong commitment to lifelong learning has earned her a very strong following of women in Paradise Point. She does a remarkable job, and I want to congratulate her for the work that she does. There are many women doing remarkable work in our communities, contributing significantly to our economy and the communities in which we live. I congratulate all of those women.

**Dr FLEGG** (Moggill—Lib) (12.27 pm): I rise to make my contribution to this motion. Let me say at the outset that if we are to advance the welfare of women and the enjoyment of peace we have to address the issues of disadvantage and discrimination. To find these issues we do not have to look

overseas. We do not even have to look interstate. There are plenty of examples in Queensland that we have, as yet, failed to face up to and address. I refer to a report released this morning entitled *Women in prison* by the Anti-Discrimination Commission of Queensland. It is a disturbing document which says that 50 per cent of the women who enter the correctional services system in Queensland suffer a mental illness of some sort. It describes hopelessly inadequate treatment. Therefore, in a system where mental illness is the largest single issue we do not have a comprehensive treatment regime in place to assist these patients. They are expected to endure imprisonment without treatment for their mental health problem and then be thrown back out into society, and we wonder why it is not an effective rehabilitation system! It describes the serious lack of secure beds for mental health patients—such a severe shortage of beds that patients with acute mental illness are held in prisons, at times in padded cells and shackled, simply because there is no secure bed to place them into.

The report describes the lack of drug and alcohol rehabilitation for women in our prison system. A huge number of women entering the prison system have substance abuse problems, yet we do not help them to deal with those problems and then wonder why they do not cope when we return them to the community. It describes the lack of any step-down accommodation where people who have serious mental health problems and serious life issues are simply tipped out of prison. We do not have step-down accommodation where these people can go and get some support while they rehabilitate themselves back into the community as a whole. We do not provide them the ongoing support for their mental health problems after their discharge from prison.

I have reports that prisoners have actually been held in prison after their discharge date because their mental illness was so severe it was not safe to release them from the prison. In two prisons in Queensland we have a special unit called the crisis support unit. I heard the minister in this place this morning refer to it as a 'padded cell'. Patients suffering serious mental health problems—perhaps even a majority of patients in these units—are frequently locked in a padded cell on suicide watch and are often shackled and, according to the report, often held naked. According to other reports that we are receiving, they often have their faces covered with masks. This is not an overseas country or one in the Middle East; this is in Queensland in a report that has essentially been dismissed by this government.

We have a system where there is virtually no accountability for the welfare of female prisoners, where the inspector of prisons reports to the minister—not to parliament, not to any other independent body. We have a system where the Department of Corrective Services investigates the Department of Corrective Services. We had the minister dismissing this report as containing no evidence of discrimination, yet page after page it raises serious issues of discrimination, just one example being on page 45 where it describes prima facie evidence of discrimination on the basis of disability.

Then we heard the minister go on to attack Debbie Kilroy, who runs an advocacy group called Sisters Inside. In a system where there is no accountability, where people in crisis support units are not subject to any outside inspection and they do not have anyone to whom they can turn if they are being mistreated, it is vital that there be independent advocacy groups. Yet this government would prefer to abuse the advocacy group, to demand an apology from Debbie Kilroy, than to listen to the serious concerns not just of Debbie but of the Anti-Discrimination Commission of Queensland.

**Mrs ATTWOOD** (Mount Ommaney—ALP) (12.32 pm): Today we celebrate International Women's Day. I rise to talk about the significance of this day and women's contribution to international peace and freedom. The theme for the 2006 International Women's Days events, as members are aware, is women, peace and security—women managing conflict. Australia has participated in International Women's Day since 1928. The day was originally created internationally in 1910 to improve the social and working conditions experienced by women. However, it is now seen as a day for women to reflect on their achievements and address future challenges.

Here in Queensland the first International Women's Day activity was the holding of a social dance in Brisbane in 1929. Meetings and concerts were the preferred activity during the 1940s, as many women were involved in the war and the reconstruction effort. Peace walks and attendance of international delegates at International Women's Day activities became commonplace during the 1960s. The seventies saw the first of the very large marches. The tradition of a Saturday march close to 8 March commenced in 1972, and an IWD newspaper was introduced. Today there is a mix of political and celebratory events around Australia including marches, rallies, forums, breakfasts, lunches, dances, festivals and fun activities.

Internationally over the years much progress has been achieved enabling the advancement of women, from better laws and legislation and improved working conditions to greater workplace and social participation. But this International Women's Day is also a reminder that, for the majority of the world's women, daily life remains a difficult and sometimes dangerous struggle. The past year or so has also brought into sharper focus the objectives of gender equality, development and peace that remain at the heart of our agenda and that are still far from being achieved. The recent disasters of the Indian Ocean tsunami, the Pakistan earthquake and the wars throughout the Middle East and other quarrels over material, philosophical and religious issues have all impacted greatly upon women and their children. It is one of the tragic features of modern conflict that women and girls suffer its impact

increasingly and disproportionately. We see this daily on our television screens. They are often neglected in the delivery of protection and assistance during conflict, natural disaster management and postimpact reconstruction programs and processes.

We have all seen the terrible footage coming from hurricane devastated New Orleans of women, children and families forgotten by the authorities of the state and nation until the administration was shamed to act by national and international news reports following the disaster. Yet it is increasingly being realised that women possess particular skills and experiences that enable them to contribute to all stages of the peace process. In times of conflict it is often women who take over the running of homes, farms, villages and even factories, manufacturing processes and industrial concerns as observed by our parents during World War II. Women understand the basic cause of tension and know which power groups within communities and countries are most likely to support peace initiatives. Women are able to work together and communicate across barriers and divides. We must make greater use of that potential. We must ensure that these experiences are replicated at all levels on local, national and international fields. We must cultivate and build better networks and partnerships among all participants—governments, non-government agencies, community groups and the private sector—to bring more women to the negotiating table and into decision-making positions. We must act on the understanding that women's full participation in preventing and resolving conflicts is essential for the maintenance and promotion of peace and security.

I would like to pay tribute to all of those wonderful women who are the leaders in my local community. I thank them for their caring and their efforts. Today Milpera State High School conducted celebrations in support of International Women's Day. Milpera is a school with a definite international flavour. Multiculturalism is the norm, with students from Australasia, South America, Africa, Asia and the South Pacific attending classes. Milpera promotes diversity, fosters tolerance of conflicting ideas and philosophies, and provides an opportunity for women and girls within an educational environment.

We can ignore half of our society, disregard the oppressed plight of women and children, or embrace the opportunity to assist change by promoting occasions where women are valued, listened to and acknowledged as promoters of peace. We must allow women to reach their potential for our civilisation to become a more harmonious society. I commend the celebration of International Women's Day to the House and the wonderful hardworking women who provide a splash of colour and vibrancy and that all-important balance of views in this parliament.

**Mrs PRATT** (Nanango—Ind) (12.37 pm): There is no doubt that women have come a long way in some countries. Australia is a very lucky country for women to be born into. I have to say I am blessed to be here. I thank whomever it was who sent that ship from England and allowed my predecessors to live here so that their descendants would eventually give birth to me.

I look back—not so very far—to my great-grandparents' day. The women travelled inland with their husbands and were left for months and months at a time while their husbands, who were loggers, took the logs down to the Tweed Valley. They managed the farm. They managed to survive the snakes. They managed to have their children in the middle of Woop Woop with nobody to help them. They were, indeed, marvellously strong women and they stuck it out. One of my female ancestors came from a very well-to-do house in Sydney where she was waited on. She went out to a little one-room log cabin and she did all that by herself. I cannot help but admire her.

I remember very well that for quite a number of years things were very tough on my parents' dairy farm. My mother, who was not a well woman, had to run the farm while my father went away herd recording. He would come home on the weekends and, instead of him being grateful, my mother would have to endure him commenting on all the things that he saw she had done wrong. It was not until years later and not long before he died that he realised how much work my mother put in on the farm.

Yes, in my ways women have come a long way. As I said, my mother suffered from ill health. Every time I had a child I can remember her very first words were, 'Darling, be very careful. If you have a temperature or you have pains in the stomach, watch out for septicaemia.' My mother is in her 70s. It was drilled into women of her era that when they had a baby they had to look out for those things because women were very susceptible to contracting such diseases. In this day and age, we hardly ever hear of women getting septicaemia from childbirth. Recently in my area a young 18-year-old woman suffered from septicaemia. It is a case that I will outline at a later date. The things that have happened to that woman are horrific. After nearly four weeks she is only now recovering. To hear of that sort of thing happening in this day and age is a backward step in women's health.

I heard on the radio about that poor lady who was left lying helpless at the bus stop for five hours. I was shocked by that. I thought that was a terrible, terrible thing. Some callers to the radio said that they believed it was a racist act. But I continued to listen to radio and I heard many other callers say that, regardless of the colour of that lady's skin, a woman was left lying on the street because people really do not care. That is a sad indictment on our society today. Men and women have been left lying on the street and people have stepped over them. That is unforgivable. I do not believe we have the compassion in our lives that we used to have. I think that is deplorable. I do not think that we have the respect for people's dignity or welfare that we once had. That is a shameful thing. Perhaps too little

emphasis has been placed on the value of motherhood, of being a stay-at-home parent—whether that be the mother or the father—and instilling in our children the values that are required to create a supporting and caring community. My daughter, Sharon, has four children. She is staying at home until they go to school to teach her children the values a human being should have in today's society.

I am the current president of the South Burnett Zonta Club. The yellow rose is our symbol of friendship. The theme of this year's International Women's Day is 'Women—Striving for a peaceful society'. If you do not have friendship in society, you do not have peace.

**Ms NELSON-CARR** (Mundingburra—ALP) (12.42 pm): 'Women—Striving for a peaceful society' is a great theme for this year's International Women's Day. That theme is particularly relevant today given the war in Iraq and other conflicts throughout the world.

Women act to make our society more peaceful and harmonious and we have a long history of taking a stand against militarism and the culture of violence. Many women throughout the world have spoken up and influenced the war machine by founding organisations encouraging peaceful demonstrations and pacifist philosophies, including the Women's International League of Peace and Freedom and, in Australia, the Women's Peace Army.

Although the legacy of women's peace movements over the past century is inspiring, it is not well known or well documented. In 1915 Americans Jane Addams and Carrie Chapman Catt joined other pacifists in Washington DC to rally support for the abolition of the war. Together they created a program for mediation between nations. Later that year at a women's peace conference what would eventually be called the Women's International League for Peace and Freedom was formed. That league rejected the idea that war was inevitable and worked on plans to lay a basis for permanent peace world wide. Addams was awarded the Nobel Prize for peace in 1931 for her work as a peace advocate. At the time people said that she was the right spokesman for all the peace-loving women of the world.

Although women play a part in striving for peace in time of war, unfortunately a few women leaders have led their countries to war—most recently Margaret Thatcher. Historically, women are certainly not known for starting wars. In fact, it is mainly the men who are in power who have initiated wars.

As the member for Maroochydore pointed out, today women constitute only 14 per cent of the world's legislators. Those female leaders are far more responsive to forging and maintaining peace with rival nations than coldly shunning it. Women have a vital role to play in peace building and until warring factions involve women in negotiations to resolve ideological differences and hatreds the world will continue to suffer the consequences.

Social science research indicates that women generally are more collaborative than men and thus are more inclined towards consensus and compromise. Women are adept at bridging ethnic, religious, political and cultural divides and have a natural tendency towards dialogue rather than aggression. As well, their common love of humanity as mothers is unrestrained by international boundaries and beliefs. Women also use their roles as mothers to cut across many other divides. For example, in several instances during the peace talks that led to the Good Friday agreement in Northern Ireland, male negotiators walked out of sessions leaving a small number of women such as Monica McWilliams and other members of the Northern Ireland Women's Coalition at the table. These women focused on mutual concerns and a shared vision, enabling the dialogue to continue and the trust to be rekindled.

In October 2000, the United Nations Security Council unanimously passed Resolution 1325 on Women, Peace and Security. That resolution is a watershed political framework that makes women relevant to negotiating peace agreements, planning refugee camps and peacekeeping operations and reconstructing war-torn societies. Women's peace-building efforts must be supported. We know that bringing women to the peace table improves the quality of agreements that are reached and increases the chance of success, just as involving women in postconflict governance reduces the likelihood of returning to war. Kofi Annan, Secretary-General of the United Nations, has stated—

For generations, women have served as peace educators, both in their families and in their societies. They have proved instrumental in building bridges rather than walls.

Today I was privileged to emcee the Department of Transport and Main Roads' International Women's Day celebrations. About 100 women attended the function to hear a range of speakers discussing multiculturalism and issues confronting refugees. One of the speakers was Immaculate Murekater, who is a Rwandan refugee. She was pretty sensational.

**Mr Wallace:** Just like you.

**Ms NELSON-CARR:** I thank the member. I will take that interjection from the member for Thuringowa! It was a great morning and the audience was certainly enthralled by the speakers and their topics.

I would like to finish by referring to the peace doves that we will take to the mall and then later bring back here. We also had them at the function this morning. I was able to bring a little bit of Townsville to Brisbane in the form of messages written on those doves from Townsville women.

**Mr HOPPER** (Darling Downs—NPA) (12.48 pm): I have listened with interest to this debate today. I think there have been some wonderful contributions. We live in one of the most wonderful nations on this earth. It is great to see the number of women on both sides who are in this House. On my side we have Fiona, Rosemary and Jann. They play a wonderful role in the opposition. We work closely with the women members opposite and it is great to see them in this place. In 1921 the first woman was elected to parliament in Australia. But there were times when women were not even allowed to vote. Hasn't this country come a long way!

Today I would like to recognise a few people, and one of them is my mother, who is an icon of rural woman. She is retired now and lives in Bell. She lived her life on a farm. Earlier the member for Toowoomba South spoke about the life led by women on farms. My mother could not leave the farm when it rained as there was only a blacksoil road to Dalby. So a lot of vegetables were grown on the farm. Yet she gave support to her husband, her family and her local rural community—the CWA, the shows, the P&C. We had our Bell show and rodeo weekend. In the barbecue area there were four or five young women and one of them was my wife. They cooked all day. They never saw a bit of the action and there were about 1,000 people there. It is women like that who make our areas what they are.

I have three women who work for me. Donna, my chief electorate officer, has been an electorate officer for 22 years. You could not get a more beautiful woman. I have two other girls working for me, Julie and Lisa. They are farmers' wives and I approached them and offered them the job. You could not get more wonderful people to help you. I pay tribute to them for the effort that they make. I have two daughters myself. My elder daughter, Jodi, has just been accepted into university in Townsville to do veterinary science—one of 40 new vets. She will become a rural vet. Her ambition is to buy an aeroplane and fly into those areas of the west that are lacking vets. My other daughter, Amy, is in year 11 at school. They have been brought up wonderfully by their mother, Joanne, who has set the example.

**Mr Reeves:** You might have had a little bit to do with it.

**Mr HOPPER:** I think I did have a bit to do with it. But that is just touching a little on the women I represent in this House. I have five mayors in my electorate and every one of them is backed by a wonderful woman. Look at the leader of our nation—John Howard and his wife. Look at our Premier—look at what Heather does. Let us put politics aside on this motion.

One thing that does concern me is that some maternity sections of our rural hospitals have been moved to major centres and so there are now no child-birthing facilities at some of our smaller hospitals. I was born at Jandowae Hospital. My wife gave birth to my three children in that hospital. Now there are no child-birthing facilities there. I remember the night Jodi was born. We lived 20 kilometres out and things started to happen and I had to get Joanne to hospital, but there was a thunderstorm and we had three inches of rain and the creeks were down. We had to face that fact. If she had had problems giving birth we would have had to get a helicopter in to get her to Brisbane. That is the sort of thing that rural women face and have fought with over the years. I pay my compliments to them today.

I was looking at some AIDS statistics from Africa on the net. An article by John Christensen states—

Finally, this: The bubonic plague is reckoned to have killed about 30 million people in medieval Europe. The U.S. Census Bureau projects that AIDS deaths and the loss of future population from the deaths of women of child-bearing age means that by 2010, sub-Saharan Africa will have 71 million fewer people than it would otherwise.

So that just emphasises the magnificent nation that we live in. I want to say that the women sitting here are very blessed to have been born in this nation and to be members in this place.

**Mrs SMITH** (Burleigh—ALP) (12.52 pm): Today, as we all know, is International Women's Day. This day is celebrated all around the world as a way to recognise the contribution of women to our society and to raise awareness of ongoing campaigns and concerns about the rights of women around the world. But the real story of International Women's Day is a story of struggle for peace, justice and equality. It is about the fight for workers rights. It is the story of the struggle of women in the workplace over the last century to gain equal pay and reasonable working conditions.

One unforgettable story about women's rights in the workplace is the story of the Triangle Shirtwaist factory fire in New York City. On 25 March 1911, 146 women workers lost their lives. They died because their employers did not take the most fundamental steps to protect them. Those who died were mostly migrant women. The doors of the factory where they worked were locked. Eighty-four women were trapped in the building and burned to death; 19 bodies were found charred against locked doors; 25 bodies were found huddled in a cloakroom. But what changed the attitude of the public toward government regulations—and still chills us 95 years later—is that 62 women, mostly aged between 13 and 23, jumped to their deaths from a height of 100 feet to the concrete below. This has become part of the consciousness of the international labour movement and, in particular, the women's labour movement.



While we can and should congratulate ourselves on the achievements we have made since those days, it is necessary to remember that in some parts of the world things have not improved. Only two weeks ago, at least 54 women workers were killed in a textiles factory fire in Bangladesh. Dozens are thought to be still buried under the rubble of the collapsed building. Police report that the main gate of the factory was locked from the outside. More than 350 workers have been killed and more than 2,500 injured in garment factory fires in Bangladesh since 1990. These stories are appalling and it is easy to say that they would never happen here. In Australia we have laws protecting workers in the clothing and textile industry.

It is true that in Australia there probably would not be a fire in a factory, and if there were the doors probably would not be locked. But we should not congratulate ourselves too soon. That is at least partly because, by and large, the textile industry in Australia no longer provides a workplace. It relies on outworkers—garment makers who work from home. Only last week the Textile Clothing and Footwear Union of Australia—the union for Australia's clothes makers—launched Federal Court action against 27 major Australian clothing companies who are exploiting their outworkers. About 300,000 outworkers are employed in Australia's textile industry, and many of them are paid as little as \$3 per hour. The vast majority of these workers are women and migrants. So, while it is good to celebrate what we have achieved, it is important to remember that we have not come as far as we would like to believe. There is still a long way to go.

**Hon. DM WELLS** (Murrumba—ALP) (12.55 pm): It is deeply fitting that you, Deputy Speaker Male, should be in the chair for this debate today. Your presence is a testament to your own courage and to your commitment to this issue.

A remarkable woman in my electorate deserves recognition on International Women's Day. Joy Bowman came to my office several months ago with a vision. She wanted to establish a home for people with intellectual and physical disabilities. She wanted to do it on her own land, with her own money and in her own way, and her own house was to be part of the master plan for the facility. I learned that Joy had been the proprietor of the Brisbane City Gallery before she retired to her property at Mango Hill in my electorate. I also learned that her late son Julian, who had lived with a disability through his tragically shortened life, had been her inspiration. The motivation for Joy's philanthropy was to provide an environment that she knew would have been comfortable for her son—a home where the residents would have meaningful relationships with one another and with their resident carers and a meaningful relationship with the natural environment that would be carefully preserved around them. Joy had cared for her son all his life and was convinced that she knew what others like him would need.

I invited Joy to Parliament House to meet senior officials of Disability Services Queensland. Amusingly, the officials were somewhat perplexed. At the meeting they kept hinting that I should get to the point as to what the problem was. The difficulty was that there was no problem. Joy had come offering a solution, not a problem. The officials were somewhat taken aback when it became clear that someone was coming to them with pure philanthropic intent rather than with a demand.

What Joy is setting out to do requires a significant amount of administrative work. I would like to thank the minister for disability services for the help that he and members of his staff have been giving Joy in reaching the milestones in this project. Some people in the community thought that Joy would not do it her way. They thought that she would need to bring her project under the aegis of another existing organisation. But Joy just kept working away at her project and persuading people to join her. This January she held a meeting which resolved to form an association under the Associations Incorporation Act to deliver her vision. Joy's project is well underway. On this International Women's Day, I advise honourable members of Joy Bowman's work and I salute a good woman.

Motion agreed to.

Sitting suspended from 12.58 pm to 2.30 pm.

## DRUG LEGISLATION AMENDMENT BILL

### Second Reading

Resumed from 2 March (see p. 514).

**Miss SIMPSON** (Maroochydore—NPA) (2.30 pm): I am pleased to contribute to the debate on the Drug Legislation Amendment Bill, as it is a subject I feel very strongly about, particularly breaking the cycle of crime and drugs, the connection between those who have a drug and an alcohol problem and the crime that often ensues from those extreme addictions.

The Drug Court concept in Queensland was proposed by the now Leader of the Opposition, Lawrence Springborg, in 1999 as coalition policy. At that time initially the state government said 'yes, but not now' and we disagreed with its timing, but we are pleased that the policy was adopted and pursued. It has had bipartisan support in Queensland. The legislation we see before us, among other things, is seeking to bring about a permanent system rather than a pilot system in Queensland for drug courts which is very much about breaking that cycle of crime that is related to drugs. Unfortunately, once

people have addictive behaviours, if they are only jailed, in many circumstances their behaviours get worse and not better. I would like to say that our jails are drug free but that is a myth. However, the underlying addictive behaviour and problems related to drug addiction are something that go beyond taking a drug. It is about addressing some of the underlying issues and helping people rebuild those areas of their lives so they do not look to alcohol and drugs as a way of life, and other supporting mechanisms are in place.

The issues of rehabilitation and drug use are things that I have spoken about in this House before. I have also raised with Attorneys-General over the years the need for a Drug Court on the Sunshine Coast. I will continue to advocate for a fully functional and funded Drug Court on the Sunshine Coast. One of the impediments in the past to doing this was a lack of rehabilitation—a lack of centre based care. We had some home based care, but there was a dearth of services providing drug rehabilitation on the Sunshine Coast. Despite the size of the region, despite the fact that we shared the drug problem as much as any other area of Queensland, we did not have the facilities to effectively intervene and help people who wanted to change their lives and rebuild and leave those addictive behaviours behind.

There are now a number of providers, but I want to acknowledge in particular a facility established on the Sunshine Coast hinterland which has been auspiced by WHO, We Help Ourselves. A number of years ago it joined with a very active community group on the Sunshine Coast to try to establish effective rehabilitation services. While the service is still in its relative infancy, its parent organisation has a long history of effective drug and alcohol rehabilitation. It is certainly a very important addition to the suite of services on the Sunshine Coast. There are not as many as I would like to see, but we acknowledge that it is not an easy issue. There is not a pill that fixes the problem of addiction. There is not a drive-through solution. It is a very complex issue: changing people's behavioural patterns but also addressing underlying life issues that have contributed to addictive behaviour and criminal behaviour.

Certainly those on the opposition benches and in the coalition could never be accused of being soft on drugs. We have a very strong approach to those who push drugs and to those who seek to profit from others, but we also recognise that we need measures in place to support those who want to break the habit and change their lifestyle.

Drug courts are a mechanism that recognise addictive behaviour with drugs has an impact on the wider community. It is not only about rehabilitating the offender. It is also about ensuring that communities are safer. Where drugs are involved, there is a significant issue as far as public safety and certainly people's own property and the damage that can ensue where drugs are involved.

The issue of amphetamines is a lot more prevalent than the issue of heroin. Queensland in recent years has earned the unenviable nickname of being the amphetamine capital of Australia. That is not something anyone is proud of. That is of great concern, particularly in the nightclub industry. A lot of people go out to have a good time and they can do that alcohol free—well, drug free. Venues are licensed for alcohol consumption, but they can do it drug free. The reality is that a considerable amount of drugs flow through these areas. That in itself is fuelling psychotic behaviours that impact not only on the person taking those drugs but also on the community.

In addressing this legislation, we support the concept of drug courts where they are properly funded and properly monitored. That is very important. If the community is to continue to support this concept as having a benefit not just for the initial offender but particularly for the wider community, then we have to ensure that the appropriate monitoring continues, that credible and well-financed rehabilitation facilities exist and that there is a genuine rollout of these options in the regions of Queensland.

I know that women with addictive behaviour and who are caught in a cycle of crime often have the added complication of being the primary carers of children. One type of service does not fix all situations, but sometimes the likelihood of people slipping back into a life of addiction and crime is greater where those basic social factors of help for people who have children are not easily available. I mention that because, once again, people are complex. There is not a one-size-fits-all solution. That is certainly true of drug abuse and the reasons why people fall into that lifestyle and then find it very difficult to break that cycle. When circumstances arise where they fall off the wagon, the downward spiral can be so devastating.

I certainly support this legislation. I particularly seek the Attorney-General's support for a Drug Court on the Sunshine Coast and the funding that goes with that to ensure that there are appropriately funded rehabilitation beds and services to complement those that exist but to create a more robust framework. I know that education is not strictly a part of this legislation, but it is part of the overall strategy for which I think there is bipartisan support. There is a need for better education on the ramifications of drugs.

As I said, human beings are complex. The reasons why people from seemingly good backgrounds sometimes end up in disastrous and damaging lifestyles with all of the associated fallout can be astounding. This is about trying to break that cycle, and certainly appropriately funded rehabilitation of the right people to go into the system will always be a major consideration. Once again,

I support the legislation but I certainly seek this to be rolled out on the Sunshine Coast with the appropriate services to support it.

**Ms STONE** (Springwood—ALP) (2.39 pm): I am pleased to speak to the Drug Legislation Amendment Bill. I have spoken in the House before on how drugs destroy lives, for the need to provide opportunities for individuals to overcome their drug addiction and, in particular, the opportunities that should be provided to them to recover their lives and become responsible citizens in the community. That is what the Drug Court program is all about. I have also spoken before on the positive outcomes of the drug courts and trials and what they have achieved. I will come back to these outcomes later in my speech.

This program provides an opportunity for participants to become drug free. It provides the opportunity for them to break their cycle of drug dependence and the related crimes that come with that dependency. I am sure that every member of this House has had representations from families who have come to them and begged for help for their addicted family member. They are usually begging for help to cure the addiction because they can see the type of life that is ahead for their loved one, certainly in the circumstances where criminal offending becomes involved. I am sure that many of us in this room have been in that situation and know just how upsetting it is for all the family.

Since 2000, we have had drug courts in Beenleigh, Ipswich and Southport. The Beattie Labor government introduced this innovative program to break the cycle of drug related crime in our communities. It was a change in the way that the Queensland criminal justice system dealt with drug related crime. Offenders are diverted into residential and non-residential treatment programs and are carefully monitored. Instead of jailing these addicts, who have committed crimes to feed their habit, this program aims to cure people of their addiction once and for all and enable them to reclaim their lives. That is what many of those family members who I spoke of before want.

What I like about this program is that it tackles the causes of crime and not just the crime itself. I hear that quite a lot when I am out in my electorate. People often say that we should be looking at the causes of crime to cause a decrease in crime in our communities. Drug courts are certainly doing that.

I visited the Beenleigh Drug Court and was very impressed with what I saw there. The judge provided guidance and direction and was very frank and honest with the participants. In fact, I would not be surprised if this was the first type of strict and almost parental control that some of those participants have ever had in their lives. I was very impressed with what I saw.

There were participants who were graduating that day. Their joy, excitement and pride filled the room, and so it should. Their supporters who were with them were very proud of them, too. Their graduation from the Drug Court is a very positive outcome not only for their families and for them but also is a good, positive outcome for our entire community. Research tells us that about three in every four crimes, particularly property crime, are drug related, so every successful rehabilitation means fewer crimes are being committed.

My visit to the Beenleigh Drug Court demonstrated to me that the program is no easy ride. The Drug Court legally forces drug dependent offenders to get treatment. It uses the threat of imprisonment as an incentive for an offender to commence, and continue, the treatment. I was there on a day when an offender did receive imprisonment for not following the conditions that he had been given. His mannerisms showed his disappointment in that decision, but it also showed that he knew he had lost a very good opportunity. It is not an easy ride for the offenders at all.

It should also be pointed out that young people are not the only people involved in the Drug Court program. A wide variety of ages have been through the drug courts. That is an important factor to mention because too many times we hear of these courts only in terms of young people. That certainly is not the case. A whole range of people of different ages are involved. As we heard the member for Maroochydore say before, people from very good, upstanding families can sometimes fall into situations. This certainly would be reflected, I am sure, if we looked at the participants in the drug courts.

The program provides opportunities for positive outcomes. As long as the participant is unwilling to take on that personal responsibility and take control of their actions, the consequence will be prison time for the crime they committed.

I am pleased that this bill will mean the pilot program has become permanent. The Drug Court has received outstanding endorsement from the Australian Institute of Criminology, which found there was a marked reduction in criminal activity by drug addicted offenders who completed the program. That is a very good endorsement. Drug courts means safer communities, being tough on the causes of crime and positively rebuilding lives. I commend the bill to the House.

**Mrs PRATT** (Nanango—Ind) (2.44 pm): I rise to speak to the Drug Legislation Amendment Bill. I say from the outset that anything that can be put in place to aid in freeing drug abusers from their habit and getting them back on a path of being worthwhile, contributing members of the society can only be, and is, very positive.

Drugs are in epidemic proportions in our communities. Even if we are not associated with the production, sale and use of drugs, we are often the victims of them as our homes, chattels and vehicles are broken into and stolen to pay for an addict's drug supply. Not only are our goods stolen; our sons and daughters are also stolen as many young boys and girls enter prostitution to pay for their habits. The general breakdown of respect for other people and their property, plus many other various abuses of society, are perpetrated because of the dependence of addicts on these substances.

We are often told that addiction is a disease. If it was smallpox or any other contagious disease we would be pulling out all stops to prevent it spreading and endeavouring to contain it. This bill is dealing with the consequences of drug addiction in that those addicted get to front a Drug Court. A Drug Court has the ability to redirect their lives to assist them to break that cycle of addiction. The majority will never break that cycle on their own accord, not because they do not want to but because addiction can be too strong.

I note that many speakers have spoken of the success of the current trial, and I will not go into that except to agree with them. This legislation is to ensure that that trial becomes a permanent fixture.

I would ask this government to consider locating drug courts in areas other than the city or the coastal strips. Too often any innovative program is confined to the cities. It should not be necessary to funnel people from rural and regional areas into the city to attend such courts or undertake treatments. To do so adds just that little extra pressure to an addict who is already probably stressed out of their brain. At that particular time, when they are trying to get off drugs, they need the support of their families and any assistance they can get in overcoming that addiction. We need to be realistic and recognise that there will be those whom no amount of help will assist to beat that addiction but, for those whom it can help, every assistance must be given. Allowing their families to be with them at this time, when everything else appears to be against them, is essential to achieve success.

Every town has its problems. Just like many families, the town may be reluctant or embarrassed to admit it. As Kingaroy is the main town in a large rural area that draws people from a huge catchment, I would ask that the government situate a Drug Court there. I have heard many members make a similar request, which acknowledges the truth that all communities face this particular demon. I know that each edition of the court news shows more and more drug related crime. Where once the court notices only filled a very short column, today in our local newspaper they fill almost a page.

These sorts of trends are reflected across every Queensland community. If the success of these drug courts is duplicated across the state and assists these people who have become addicted—because of peer pressure or for any other reason—and who genuinely want to rehabilitate, then we should put all our weight behind these courts.

Drug addiction knows no boundaries—rich or poor, old or young, city or country. We are all affected by the use of drugs in our communities. I commend this bill to the House.

**Mr REEVES** (Mansfield—ALP) (2.48 pm): It gives me great pleasure to rise to talk on the Drug Legislation Amendment Bill. This bill introduces new offences to the Drugs Misuse Act that address the growth of illicit production of methylamphetamine. The amendments target the collection and possession of the substances that are used to manufacture these insidious drugs.

The bill introduces a new indictable offence for the possession of prescribed substances or items for the production of an illicit drug. The offence is aimed at the developing market of persons who supply chemicals and apparatus to manufacturers of this illicit drug but who do not personally engage in the manufacture of the final dangerous drug. The maximum penalty for this offence is 15 years imprisonment. The provision excludes those persons who have legitimate reasons to possess the substances and items.

It ensures that those people who, for example, collect large numbers of cold and flu tablets so that the pseudoephedrine in the tablets can be extracted and used in the production of a dangerous drug are now guilty of a crime. When a clandestine laboratory is located that has been used to manufacture a dangerous drug or is being prepared to commence production of a drug, the process of proving that production has occurred or could occur involves a significant amount of forensic testing and expert evidence. All items located including chemicals, chemical residue and glassware must be tested in order to prove the chemical processes involved in the production have occurred or could occur. The forensic tests regularly detect the same sets of precursors, chemical substances and apparatus in different clandestine laboratories.

The bill introduces a new offence provision that makes it a crime to possess a prescribed combination of items for the production of a dangerous drug with a maximum penalty of 25 years imprisonment. The combination of items that give rise to this offence will be prescribed by regulation and will reflect that the possession of the combined items can only be for the purpose of the production of this dangerous drug. The effect of the provision is that when a clandestine laboratory is located and the prescribed combination of items is identified the remainder of the items seized will not need to be forensically tested as the prosecution will not be seeking to prove that the production has occurred. I commend the bill to the House.

**Mr LANGBROEK** (Surfers Paradise—Lib) (2.51 pm): I rise to speak in the debate on the Drug Legislation Amendment Bill 2005. The bill will amend the Drug Rehabilitation (Court Diversion) Act 2000 to change the Drug Court that commenced in 2000 from pilot to permanent status. The changes are also aimed at introducing measures which will streamline the processes and procedures in the court and make the court available to a wider range of offenders. The bill will also amend the Drugs Misuse Act 1986 by introducing measures that reduce the amount of forensic testing that is required when a speed lab is detected.

Drugs continue to be a problem in our communities. Sadly, a cycle so often is illustrated—drug dependence by people who then offended are imprisoned, released and reoffend. On the Gold Coast the perceived threat of drugs is ever lingering. Only in October last year police arrested 17 people in drug raids between Broadbeach and Tweed Heads after a two-month investigation. Some \$90,000 worth of cannabis and \$35,000 worth of heroin was seized in this one hit. As a result, 17 people were charged. Drugs are also a concern in our respected but highly congested nightclub district. With the potential for drug peddlers to take advantage of this environment, it would be naive to doubt their existence, in particular when each year we have a swarm of young school leavers who hit our region.

I also have great concerns about the increasing tendency to refer to drugs as party drugs or recreational drugs. That is something that I have certainly noticed with young people who tend to say, when asked about drug use, 'Are you talking about recreational drugs?', as though the recreational aspect makes them somehow legitimate. I think we have to be very concerned to make sure that in our education processes we stress that drug use of any sort is not acceptable in terms of the dangers that it poses to people. That is something that we need to work on when considering the education processes.

Before the pilot Drug Court began I believe our justice system struggled to provide a real alternative to offenders to empower them to break the cycle. I am the first to acknowledge that getting a jail record would affect people for a long time so it is important to find an alternative.

Let us be clear that I am not speaking of empowering the drug dealers and smugglers here; I am referring to those drug abusers who can be rehabilitated and whom the program is focused at. This is why the establishment of the Drug Court as a permanent court has my support. It provides an alternative. Through its available program of drug treatment, support to participants and indirectly support to participants' families, the program offers participants a chance to change their lives and overcome their addictions. Anything that could potentially break the cycle of drug use and drug related offences and indeed empower Queenslanders will gain my full support. The community is better for it. Related crimes should lower, eventually saving resources and thus more Queenslanders will be living fulfilling lives in our great state.

The flexibility in the court's directions and program is something that should be preserved. Of particular interest to me, as shadow minister for public housing, is the ability of the Drug Court to support offenders and their families through the provision of supported housing. The fact that the bill will allow more offenders to undertake rehabilitation by changing eligibility requirements of the current act is commendable. The south-east Queensland drug courts were evaluated by the Australian Institute of Criminology, the AIC, in 2003. The evaluation report found that recidivism was significantly reduced for those who completed the Drug Court program and few graduates reoffended once they completed the program. Where reoffending did occur, the average time to reoffending was longer than for comparison groups. These are results worthy of attention.

A review of the Drug Court itself was conducted by the Department of Justice and Attorney-General. It looked at legislative issues relating to the court and procedural matters. The major recommendations of the Justice and Attorney-General review were that the pilot status of the Drug Court be removed, that eligibility requirements for participation in the Drug Court program be made consistent between the south-east Queensland and north Queensland drug courts and that legislative changes be made to provide more clarity and consistency in the court's processes. I believe this bill does aim to achieve most of these recommendations.

One final matter, as I have mentioned before, that I always have concerns about is the reversal of the onus of proof. Unfortunately, this bill does through the evidentiary provisions introduced in proposed new sections 131 and 131A partially reverse the onus of proof. I do note the last sentence in the Attorney-General's second reading speech which says that, if the defendant does challenge the evidence, the prosecution will still be required to prove their case in the usual way.

**Mr O'BRIEN** (Cook—ALP) (2.55 pm): I rise to speak in support of the Drug Legislation Amendment Bill before the House. Australia is a nation of drug takers. From our first coffee in the morning to a nightcap before we go to bed, there seem to be no lengths that people will not go to to alter their consciousness. Australians also like choice. Like other Western societies people use caffeine, tobacco, alcohol, prescription drugs like Valium, depressants, antidepressants, painkillers and illegal drugs like cannabis, speed, heroin and so on to alter their consciousness. Of course Australia is not alone in its love affair with mind-altering substances. In fact, there is evidence to suggest that the drive to alter consciousness is an underlying human trait along with the need for food or to reproduce. Certainly people's attempts to alter consciousness cuts across cultures and across time. Whether it is a Fijian drinking kava or a Papuan chewing beetle nut, the drive to get off cuts across cultural and class divides.

What we find in the debate on drugs, however, is that people tend to make the distinction between legal drugs being good and illegal drugs being bad. Unfortunately, however, this is not as simple as that. For instance, who is of the greater threat to the community—someone sitting at home watching TV smoking a joint or someone with a blood alcohol level of .049 driving a car around the streets? Who is more dangerous—the three girls popping ecstasy pills and heading off to the rave or the three footballers with six rum and cokes under their belts roaming the streets of Coffs Harbour?

These matters are not as black and white as conservative political commentators would have us believe. They advocate a punitive approach as the way to address these issues when there is little evidence to suggest that such an approach actually works. In fact, under a strictly punitive regime drug use has escalated. People—not evil people, not sick people but just people—are willing to risk their lives for drugs. That is why this bill is good legislation. It seeks to find an alternative to punitive measures. Unfortunately, this diversionary option is not available to people, besides through sentencing, who abuse alcohol and commit crimes. But this will no doubt come in time too.

I have firsthand knowledge of what happens when a level of prohibition of a drug like alcohol is introduced. While most people get on with their lives, others go to all sorts of lengths and take all sorts of risks in order to get their hands on their drug of choice. Alternatively, in some Indigenous communities where alcohol is restricted people switch to perhaps more dangerous methods of altering consciousness like petrol sniffing and smoking marijuana. I certainly do not want to belittle the drastic effects the abuse of drugs, both legal and illegal, have on families. The member for Mirani spoke of these matters in his speech, as did other members. There is no doubt that drug abuse ruins lives and ruins families. The other side of the coin is that our society contains just as many people who are fully functioning members of society despite being alcoholics, heroin addicts or addicted to prescription drugs. Again, there are no black and white areas in this debate but certainly a great amount of prejudice and a great amount of hypocrisy.

As many other speakers have pointed out, many Australians have experimented with illegal drugs at one stage or another. What would happen if we banged all of these people up in jail for their crime? Our legal institutions simply could not handle the ramifications. The sad reality is that the war on drugs is a war on ourselves, and in particular a war on our young people who have a tendency to experiment with consciousness-altering substances. I am not just talking about alcohol and marijuana here but aerosol sprays, paint and other substances. The sad reality is that, no matter what laws we pass in this parliament, how many additional police officers we employ or health workers we engage or advertising campaigns we run, drug use, both legal and illegal, is going to continue to rise in Australia.

Australians, as I said, love their drugs, and younger Australians are taking them up in unprecedented numbers. It is frightening and I do not believe it is controllable. No doubt the Prime Minister is right to target illegal drug use, particularly by young people. If there is a long-term reduction in the use of consciousness-altering substances, this is an obvious and worthwhile strategy. If the evidence coming out of the United States is any indication, this is a strategy that should produce some results. There, according to the Drug Advisory Council of Australia, illicit drug use has fallen by 19 per cent in the last five years due to a range of initiatives, including drug courts. In the US drug courts have been effective in reducing reoffending, with less than one in six rearrested for drug related offences.

Controlling demand over the long term is one thing; controlling supply is another. Consider the logistics in my electorate alone, where I call pot smoking 'the big secret'. Not only are there vast amounts of isolated areas where people can grow the stuff; there is also a foreign, essentially lawless country with hundreds of kilometres of open coastline to the north. Plenty of pot comes into Queensland from Papua New Guinea. Besides that, people can grow the stuff in their cupboards. The hydroponic equipment we see advertised a lot nowadays is not just for tomatoes.

A lot of people want to focus on suppliers as the source of the problem and where the focus of police operations on this matter should be. Again, this appears the right and proper approach to the problem until one sees the police intelligence, which indicates that suppliers and users are interchangeable. Someone is a supplier one week and a user the next, and again the value judgements we make about people using illicit drugs provide a less than useful framework to actually deal with the problem. Having said that, I have been following the election campaign in South Australia, where bkie gangs are a large problem in relation to all sorts of antisocial issues, including supplying illicit drugs. Clearly we cannot have large, armed gangs making copious amounts of money from the drug trade supplying all and sundry with these dangerous substances.

So what are the answers? A stronger show of force from the police and stripping the assets from convicted drug suppliers are the basic tools nowadays, but again I am not convinced that this type of activity is going to have any effect in the long term. The September issue of *Drugs in Society* magazine reports that Canada is considering legalising and regulating the distribution of marijuana. Essentially its strategy is to tax the supply of the substance, giving it a revenue windfall and an expenditure reduction in terms of court cases. I suspect that conservative Australia is not ready for the ramifications of such an approach and clearly it would lead to a higher take-up rate amongst young people and consequential health problems. Australian states do run a methadone program to assist people beat heroin addiction, and this may prove a better model for other drugs. This is a difficult debate because there is too often an

argument of extremes and an argument of ideology. If we really are going to change things in the long term, this is a much more practical approach and a less judgemental approach. Ultimately we can only educate people about the consequences of legal and illegal drug use and let them decide for themselves. I commend the bill to the House.

**Hon. DM WELLS** (Murrumba—ALP) (3.03 pm): Sometimes there is value in constructing an argument in favour of something that everyone already agrees with. Doing so reminds us of the basis of our beliefs and lets us understand rather than simply agree. This bill announces the end of the Drug Court experiment and the start of the permanent institution. The experiment was successful. Recidivism was reduced. Obviously it is a good idea to make the courts permanent. I want to suggest some reasons why it worked. There are some offenders for whom prison is the best and the only effective option for modification of their behaviour. There are others where the motivation to offend is so complex that a simple solution just will not work. The latter applies to drug related offences.

As to the former, where prison is the best and only effective option, the best instance that I ever found of that was somebody whom I met long ago in another life when I was driving taxis to put myself through university. This bloke got into the taxi and, after a moment's chat, as people do in taxis, he said, 'You're really a university student, aren't you?' I said, 'Yes.' He said, 'What are you studying?' I replied that I was studying political philosophy. He said, 'Is there much money in it?' I said, 'No. What do you do?' He said, 'I'm a thief.' I said, 'Is there much money in it?' He said, 'Well, you know, you go to the races and somebody is walking away with their winnings and you go up and put it to him and he hands it over. Isn't that what you'd do?' I said, 'I don't know. I've never been in that situation.' He said, 'Well, what if I put it to you now? How much have you got on you?' I said, 'Nothing a man of your calibre would be interested in.' He liked that answer so much that he decided to go on and tell me the whole of his life story.

He said, 'You see, I'm a businessman the same as every other businessman. The only difference between me and the rest of the business community is that they operate largely within the law. I'm the same as the rest of them. I employ people and I generate work in the community. For example, I make a lot of work for the emergency services, for the police, for various other kinds of scientists and so forth. I'm a businessman and I make cost-benefit analyses.' I said, 'Is one of your cost-benefit analyses the question about whether you're going to be caught or not?' He said, 'Yes. I think that it's very, very unlikely.' I said, 'What if that was more likely and it was certain that you were going to go to jail?' He said, 'Well, that would alter the cost-benefit analysis completely.' That is a pretty simple case where prison—

**Mr Lawlor:** Bet he was happy about running into you!

**Mr WELLS:** He got almost as much pleasure out of it as I get from running into you!

This was a very clear case where prison does work. But the very opposite of that is the case where drugs are concerned. The motivation of people who commit drug related offences is much more complex and they do not respond to simple sanctions. The phenomenon of addiction has been studied extensively. One explanation that I find extremely illuminating is that of Alan Leshner, who visited Australia as Director of the US National Institute on Drug Abuse. While here he told the ABC *Science* program that addiction is a result of integration between biological and behavioural factors. He said that it is not just genetic and it is not just peer group pressure. It is, he says, actually a result of both biological and environmental factors working in concert.

He said that what happens is that the prolonged use of a particular drug changes the brain and takes away the ability of the brain to maintain optimum dopamine levels and that the only way that the levels of dopamine can be quickly brought back is for the addict to get another hit of the drug. He says that the result is of course 'compulsive and uncontrollable drug craving, seeking and use'. He goes on to say that the treatment of addiction needs to be the same as the treatment of every other brain disease like Alzheimer's, Huntington's, Parkinson's and schizophrenia in that the condition will not respond just to biological treatment nor yet just to social treatment but only to a combination of both. Thus drug related crime is therefore driven by a complex set of factors. To eliminate drug related crime we need to push a highly complex set of buttons. Making the drug courts permanent in extending their jurisdiction enables us to continue to push those buttons.

The purpose of the criminal law is to protect society. The retributive model is totally inadequate to deal with crimes that have complex and compulsive causation. The idea that wrongdoers should simply be let free after they have served a prison term because they have then paid their debt to society looks like a rather threadbare philosophy when we consider crimes that are caused by addiction.

One of the benefits of this legislation is that it reminds us of our obligation to protect society and that we can do this successfully only if we acknowledge the complexity of the causes of crime. If we are going to get tough on the causes of crime in the 21st century we will need to continue to apply the lessons of 21st century criminology and fashion our institutions accordingly. I notice that the Attorney-General has projected more specific purpose courts for the future. One of the morals of our consensus on this bill is that she is on the right track in respect of that matter, too.

**Mr JOHNSON** (Gregory—NPA) (3.10 pm): I have pleasure in speaking to the Drug Legislation Amendment Bill 2005. It is something that I have been gravely concerned about for a long time. I say to the minister that I think the original legislation that has been in place in some areas of Queensland since 2000 has been good legislation. I notice the member for Cook is still in the House. I thought his was a good contribution. Many aspects of his speech this afternoon make us think about where we are going and what we are endeavouring to do here. Whilst the opposition supports this legislation, I know that the shadow attorney has some questions and reservations about which he wants to ask the Attorney, and I will let him handle that at the committee stage.

If these drug courts were in place some time ago, I ask myself, 'Would the Bali 9 be in the predicament they are in?' We see on a daily basis the effects of drugs, and probably every person in this House would know somebody, whether it be a loved one, a family friend or somebody close to them, who has been affected by the evils of drugs.

If I can pick up on something that the member for Cook said this afternoon, if we are going to jail everybody all the time for drug offences, we will be building more and more prisons. I know that drugs are a scourge on our society, but the real issue is the 'Mr Bigs' of the drug trade. They are the ones who do not even touch these substances; they do not ever use these substances. It is the unfortunate young people who are their prey who are the victims. I say to the Attorney that she is in a very powerful position at the moment in that she can create laws in this state so that we can put these people away indefinitely. A great number of the people in our prisons today are there because of drug related crime.

Talking about drug related crime, I know how hard life can be. I have been through life. I have raised a family. I have been broke and got up and I have been broke and got up again. I can tell honourable members that it is not through drugs or breaking the law that I was able to get up again. We have to work a bit smarter and we have to put in place genuine ways of allowing people to get ahead. At the same time we must make certain that we provide good leadership and we create an environment in which to rear our kids and, ultimately, our grandkids of which we can be proud. That is what this parliament is about when we put legislation in place: we try to make Queensland a better place for the younger generation that follows us.

Another aspect of the legislation I want to touch on in relation to drug courts and the creation of these problems is the 'Mr Bigs'. I am pretty passionate about this. Twelve months ago I had occasion to be part of a parliamentary delegation that visited the United States and Canada. During that delegation we visited Raymond Kelly, the Police Commissioner of New York state. He was a very interesting gentleman to speak with. I asked him what his role in life was before he became Police Commissioner of New York. He said that he was the chief executive or the chief administrator of the coastguard that detected narcotics coming into the United States. When we think about narcotics coming into the United States we think about the impossibilities of trying to detect and manage the borders of the United States, especially adjacent to South America. The coastal surveillance would be nearly impossible.

We here in Australia are in a very fortunate position. I have quoted the former Labor leader Simon Crean a number of times. He said that we should have coastal surveillance in this country—a coastguard similar to the United States. The sooner we get that in this country, the better. If we had that it would cut out a lot of that quadruplication in many areas. We see it here in Queensland where the police, transport, environment, DPI and so on all have their own coastal surveillance in certain areas. It has led to overduplication. That is another cost factor that the federal government in conjunction with state bodies must look at. Whilst we are unable to inspect every container that comes into this country, we have seen what has happened in recent times with North Korean shipping and the narcotics that have come in. They do not care about us; it is about them making dollars at the expense of our young people. This is an unfortunate situation.

I have said it before and I will say it again: we need a drug summit in this country where we forget about politics so we can put in place a policy to which all governments—federal, state or whatever colour—will adhere, a policy that is going to drive these people right over the edge so that we can protect our young people. It is all very well standing up here and putting in place this Drug Court legislation. This is a template to try to keep these young people out of the prison system, which is certainly no place for them. At the same time, there are people out there who should be in the prison system and should be there indefinitely—for the rest of their natural life.

We have seen what has happened to people like the Bali 9. Two of those people are going to be executed. After nearly a lifetime in a Bali prison, the other seven will probably wish that they had gotten the same deal. The point I make is that we need to think about the families and the communities who are affected. That is why I get pretty passionate about this. If we are going to make a difference in this state we have to do it with a united front. We need to make certain that if aspects of the system have flaws, we remove the flaws and that scum element that I am talking about—the 'Mr Bigs'. This afternoon the member for Cook touched on seizing assets et cetera. It is not about seizing assets; it is about having tough penalties in place that will shut these people out of society forever. The sooner we can do that the better. Whilst they are out there and still preying on young people through nightclubs, schools or whatever, we have to put a set of rules in place so there is no room for them to move. The life of misery they leave behind cannot be tolerated.



I know the Minister for Education made reference in recent weeks to trying to create an environment in schools in relation to healthy eating, recreation and sport. I believe that is another area about which we can educate our young people and teach them the wrongs of drugs and alcohol. Most of us have had a drink. I know I have had more than my share in my time, too.

**Mr Lucas:** Always in moderation.

**Mr JOHNSON:** I take the interjection from the Minister for Transport and Main Roads—in moderation. I believe that we should be incorporating in this program that the Premier and the education minister are speaking about—educating our young people about proper dietary habits and proper activity in school, recreation et cetera—a presentation on the ills of drugs in our society and the wrongful mismanagement of alcohol in our society. If we can instil this in our young people at a very young age we will eliminate a number of the problems to which we as a society and a community are subjected. In order to take our state and our nation forward we must clean it up.

It gives me great pleasure here this afternoon to support this legislation. As I said, I know the shadow attorney has some reservations in relation to a couple of aspects of the legislation. I say to the Attorney this afternoon that it is up to us together to do this. If down the track it is discovered that there are flaws in the legislation or if the penalties are not tough enough, I implore the Attorney to introduce tougher penalties so that we can get these people out of the system forever and a day.

**Mrs Lavarch:** We already have some of the toughest penalties in Australia.

**Mr JOHNSON:** I realise that, but we have to have indefinite penalties. As the member for Cook said, our police are out there all the time trying to keep our society clean and free of the criminal element, but they are working against the odds when they have to deal with these sorts of people all the time.

We have introduced legislation in relation to drug dogs so that police can take those dogs through nightclubs to conduct searches. We do not want to have that sort of thing in our society, but we have to in order to get rid of the Mr Bigs who are out there creating a life of misery, chaos and uncertainty for our young people who should be our future leaders, who should be our mums and dads of tomorrow and who should form the communities of tomorrow. We want to give them the opportunities that we had.

I remember back in the early 1960s when I was going to high school in Sydney there was a young fellow at my school who was a really good cricketer. He played in the First XI of my school. He was a really top athlete. A couple of years later I read in the paper that he had died from an overdose of drugs at 24 years of age. He had injected a prohibited substance into his veins and was found alone in a flat at Kirribilli in Sydney. That young man was such a good cricketer that he could have played cricket for his state or the nation. That occurred 40-odd years ago. Today we are debating this legislation which will try to help our young people turn away from taking drugs and get into rehabilitation programs.

Although I support the legislation, I again say to the Attorney-General that we have to monitor this legislation very closely as it progresses and make absolutely certain that we shut down these evil people forever.

**Mrs MILLER (Bundamba—ALP) (3.21 pm):** I rise to support the Drug Legislation Amendment Bill. I have been a strong supporter of the drug courts in the community of Ipswich, where the court has been operating since 2000. The Drug Court has also been in operation in Southport, Beenleigh, Cairns and Townsville for several years. Drug courts have been effective in reducing the level of dependency on drugs in the community. The courts have been effective in decreasing the level of criminal activity, the health impacts of drugs and also the pressure on our prison system. The courts have also reduced the need for resources in the other courts.

I understand that around 170 participants have graduated from the program. I would like to say to all of these graduates: well done, the community is proud of you. The court helps participants to get off drugs, to get away from their criminal lifestyle, and it teaches them basic life skills that could be as simple as shopping, washing up, or looking after themselves so that they can get on with their lives.

Numerous government and non-government organisations support the drug courts, including Ozcare and the Salvation Army. In my area the Salvation Army are stalwarts and help everybody in need. They try to keep the young people and even older people on the straight and narrow. In relation to the young people, the Salvos have set up an organisation called Noah's Ark, which is a little farm comprised of little pigs, chooks and God knows what else. Through that they are trying to get all of the kids in my area back to nature. They are trying to promote a healthy, drug-free environment for all of the local young people. They have asked the schools to participate in that program. I had the honour of officially opening Noah's Ark. I would like to thank Brad Strong for his continued community focus on behalf of the Salvation Army. The Salvation Army helps our drug offenders in my community and they do an excellent job.

In relation to breaches, the bill allows offenders to undertake community service instead of receiving custodial sanctions. It allows the court to take into account violent actions in offences and it also changes eligibility requirements so that an offender may be referred to the Drug Court when facing a four-year sentence.

Drugs are a killer in our community. I know many people who have been hooked on drugs. I know families who have used drugs for generations—and I am mainly talking about marijuana. In my community it is not unusual for grandma and granddad to be products of the sixties generation of marijuana smokers. However, all illicit drugs are bad for people and that message should be sent loud and clear in our community.

The bill also amends the Drugs Misuse Act 1986. An offence has been created for the possession of prescribed substances for the production of dangerous drugs. It also covers items used for such production. It is a very sad fact for me that our state has the largest number of clandestine laboratories across Australia. These labs mainly produce speed or methylamphetamine. Speed kills. Drugs kill. These drug cooks should face the courts as those cooks are killers or potential killers.

Only this morning I was at an International Women's Day function at the Riverview Neighbourhood House. The women at that function reflected on what has happened over the past 10 to 15 years in their community. They said that 10 or 15 years ago they were not game to walk out of the front door of their houses because of the issues that were created by drugs. It was a really terrible situation. Heroin was running riot in my community. A hit of heroin would cost about \$5. Drug dealers used to wait outside schools. They would give starter packs to young children. Those starter packs consisted of cut-off syringes placed in cigarette packets so that no-one knew what was being given away. Those drug dealers used those packs to try to hook kids on drugs. That was absolutely shocking to me. I never, ever want to see that happen in my community again.

Drugs bring crime and crime brings family breakdown and community dysfunction. I applaud the minister for this bill. I think it is excellent legislation. Let us hope that in the future people will be cognisant of the fact that drugs are bad for you and drugs kill. Let us hope that this legislation will help people get off drugs through the drug courts.

**Hon. LD LAVARCH** (Kurwongbah—ALP) (Minister for Justice and Attorney-General) (3.26 pm), in reply: I am pleased to sum up this debate. I thank all honourable members for their contributions and for their overwhelming support for the bill. As all members have acknowledged, the success of the Drug Court in tackling drug related offending by providing a way of breaking the cycle of drug dependency and offending is reflected in this bill. All members have recognised the strength of this approach in breaking the drugs cycle. The court helps participants to overcome drug dependency and it equips graduates with life skills to help them make the transition to law-abiding citizens. To hear the testimonies of those who have graduated from the program and who have had their lives turned around is to know that this legislation is the right approach.

We also recognise that there are long-term health benefits and social benefits for those participants who successfully complete the program, such as it keeps families together. This is why this bill will make the court a permanent feature of the Queensland criminal justice system.

The bill also addresses the growing incidence of clandestine drug laboratories in Queensland and introduces new offences to target the production of dangerous drugs and those who supply the chemicals used in the production of such drugs. The evidentiary provisions introduced by this bill will help reduce delays in prosecuting those who produce dangerous drugs. The amendments reinforce the message that this government is tough on crime and that dangerous drugs are not to be tolerated in our community.

I thank all members for their contributions. Members from all sides noted their experience with drugs in their own electorates and the importance of having effective responses to aid in the fight against drugs. All members are united in their views that we have to do all we can to overcome illicit drug use and the cycle of drug abuse.

The member for Caloundra raised a number of issues. His first issue was in relation to the indicative assessment process. His concerns centred around new section 12D. The member was concerned that the process runs counter to the principles of the criminal justice system in that the offender will not necessarily be provided with a copy of the assessment report. I point out that the indicative assessment process is one that is currently undertaken. The provisions contained in this bill merely formalise the process and provide protection for health officers involved in making the assessment.

The provisions give the court the discretion to order that the report not be made available to the offender. The policy underpinning the discretion is that some indicative assessment reports may contain information that could be detrimental to the offender. For example, the assessment could reveal that the offender may have a mental illness. The member was concerned that the offender would be unable to give instructions to their solicitor if they were not shown the report. I point out that the solicitor is able to provide information about the content of the report to their client and can obtain instructions based on the information provided. It should also be noted that this process is only a preliminary step on the path to Drug Court processes. It was put into the bill to make the requirements clear. The report can be given orally or in writing, and I am advised that the process is an interview. It does not involve taking samples from the offender and only takes about 20 minutes.

The member also raised the question of resourcing of other services for drug addicted offenders. The Beattie government supports a range of services for drug addicted offenders to assist in dealing with drug related offending behaviour. Some of these include the Police Diversion Program for cannabis offences, which is a program targeted at drug offenders early in their criminal career; the Drug Court diversion program; the QMERIT program—that is, the Queensland Magistrates Early Referral into Treatment program—which will offer drug treatment while offenders are on bail; and, of course, the Drug Court. These are just a few diversion programs aimed at tackling underlying causes of offending behaviour.

In relation to section 24, the member asked why the time periods have been lengthened from seven days. This amendment was made in response to the Costanzo report so that the detoxification of an offender would not be interrupted to attend a court hearing. New subsection (5) gives flexibility as to when a person should be returned to court, which can be on the defendant's application or when the detoxification is complete. The member also asked why time spent in prison is to be counted as time served except for a custodial sanction. This is a response to Magistrate Costanzo's report. The participants are under a sentence of imprisonment, so it is appropriate that the time served in prison for reassessment and reserve decisions should be counted as time served.

The member also asked why the views of the Drug Court team are to be considered. This also formalises a process in the Drug Court whereby partner agencies give expert advice about the treatment and supervision of offenders. It is appropriate that the role of the Drug Court team members is recognised and formalised. The member also raised concern about the ability of the regulation to provide for storage of personal information documents. This is to ensure that personal information, such as medical reports, cannot be accessed by people who have no right to access them. The member also queries the provision that allows for the disclosure of relevant information. This also formalises the present procedure in the Drug Court whereby police, legal aid, Queensland Health and the Department of Corrective Services discuss the treatment and progress of the defendant prior to their hearings in open court. It is to ensure that all of these agencies have legislative coverage for the exchange of information in the Drug Court, and it makes good sense.

The member asked why the term 'satisfactorily' has been removed from section 32(1). There was concern expressed in the review of the Drug Court that the word 'satisfactorily' gave the magistrate too much discretion when deciding whether a person should have a sanction imposed, particularly custodial sanctions. The amendment is designed to ensure that sanctions are imposed when the offender is not complying with the intensive drug rehabilitation order, the IDRO, and reduces the risk that an offender can be sanctioned for matters that are not strictly related to noncompliance with the IDRO.

In relation to the question of what we do for people who do not complete the Drug Court, there have been instances where people who have participated in treatment programs offered by the Drug Court have gone on to access treatment of their own volition. As members are aware, Queensland Health ATOD services are available to non-Drug Court participants as well. The member for Caloundra raised the drug treatment models operating in other jurisdictions. I share his view that we can learn and be informed by the experiences of other jurisdictions.

I will come back to the matters the member raised in relation to the proposed amendment to the Small Claims Tribunal Act and the amendments to the Drug Misuse Act. I thank the member for Mundingburra and the member for Thuringowa for their support of the bill and their support of the north Queensland Drug Court. The member for Nicklin, as members will recall from last week, made an impassioned plea for a Drug Court on the Sunshine Coast. It must be a Sunshine Coast thing because the member for Kawana and the member for Glass House have mentioned to me the need for a Drug Court on the Sunshine Coast. We had the member for Maroochydore supporting it as well.

**Mrs Carryn Sullivan:** I supported the member for Glass House.

**Mrs LAVARCH:** And the member for Pumicestone supported the member for Glass House. So this will be the most supported plea for a court. I say to members that we are assessing the placement of the drug courts. I certainly take on board all members' views and all members' proposals or propositions in relation to drug courts in their area. As I have said, this bill makes the pilot program permanent but we are assessing the situation across Queensland.

The member for Maroochydore also raised the question about rehabilitation services for women and the special needs of women offenders who have children. This is a matter that I have raised in the past. Drug Court teams and partner agencies are very aware of the special needs of mothers and are examining ways in which these special needs can be accommodated. It is not easy for women who are the primary care givers. Quite often they are sole parents and do not have other family support to look after the children. The question is whether it is appropriate for the children to be in rehabilitation accommodation. We are looking at ways that we can support mothers who do not have any other support to take care of their children during their rehabilitation.

Most members spoke of the AIC evaluations of the south-east Queensland courts and the north Queensland courts. The AIC will start another evaluation around June 2006, which will be 24 months after the graduation of the 100th graduate. We are looking forward to receiving that report as well, and we will be instructed by its findings.

The member for Mirani expressed his general support for the bill, but he was the only member here who thought that the Drug Court was a soft-on-crime approach. I think the member for Mirani should reassess his views in relation to the drug courts. I do not believe any of the members here or anyone who has seen the drug courts in operation could reach the conclusion that it is a soft option. Most offenders who enter the court will have battled years and years of drug abuse and will have dire personal circumstances. The fact is that the Drug Court forces them to do the toughest thing that they would have had to do in their adult life—that is, to get off the drugs, face their personal situation and get their lives together. We know that it is not the soft option; it is actually the hardest option. Many would choose to go to prison rather than undertake an intensive drug rehabilitation order. I do not think there is anyone here who doubts that getting off drugs is hard.

The member for Gladstone was concerned about the level of supervision for community service. I advise that the Drug Court participants are under a high level of supervision both by the court and Drug Court team members. Participants are under supervision on a continued basis by a health professional, residential rehabilitation providers and Corrective Services officers, and the community can expect that this close supervision will continue and that the performance of community service hours will be monitored.

She also raised concerns about the 22-day imprisonment at a hearing for a breach of an IDRO. It must be remembered that the 22-day limit applies per hearing for breaches. The custodial sanction is then served. If the offender commits more breaches then further custodial sanctions can be imposed. She also raised questions about the detoxification facilities, as did the member for Mirani. Members raised issues in relation to detoxification and rehabilitation. They are two separate issues. I also thank all other members for their contribution to the debate. Members acknowledged the hard work of the Drug Court staff and the collaboration across agencies that go into making the Drug Court a success.

I add my thanks for the hard work of those magistrates and staff, and I commend them on their work. They are making a real difference in people's lives. I also want to congratulate the 175th successful graduate of the Drug Court. The whole 175 have been part of a life-changing process. I also want to take this opportunity to commend Department of Justice officer Greg Wiman, the Drug Court manager, for his dedication and commitment to the operation of the program. The success of the program is in no small measure attributed to Greg's enthusiasm for what can be achieved.

Turning now to the Drugs Misuse Act amendments, I note the general support in the House for the amendments to the Drugs Misuse Act. The bill deals with the practical difficulties of obtaining conclusive evidence and strikes a balance between overcoming those difficulties and the rights of an offender. I thank members for their support of this aspect of the bill. The member for Caloundra noted that there had been a significant backlog in testing of clandestine laboratories at Queensland Health Scientific Services that led to the introduction of these provisions. I can advise members this afternoon that through case management strategies the backlog in testing for clan labs has been dramatically reduced. At 30 June 2005 there were 197 cases waiting for testing. Presently, there are 120 cases. Where the delays in testing were previously up to two years, they have now been reduced to 12 months and in urgent cases testing can be completed in three months. It is expected that with the introduction of these amendments these delays will be further reduced. In relation to amendments to the Small Claims Tribunals Act, I will address those during consideration in detail. I commend the bill to the House.

Motion agreed to.

### Consideration in Detail

Clauses 1 to 17, as read, agreed to.

Clause 18—

**Mr McARDLE** (3.41 pm): This is the particular clause the Attorney-General referred to in her reply regarding a number of matters. Can I take her, first of all, to 12B(6), which is where the indicative assessment report is debated or discussed to establish whether or not the matter will remain in the Drug Court or go to a Magistrates Court. 12D(1) states—

The drug court magistrate may order that the report, or part of the report, not be shown to the person.

I take her comment on board that a person can be told the content and a magistrate can make an order that they cannot be shown the content. What is the difference? If the Attorney says in her reply that they may learn or hear something to their detriment, what is the distinction between being told they have an ailment or being shown the document? To my way of thinking, there is no distinction between the two. They are both informed as to the content of the document. It does not make any sense if you can tell someone the content of the document but not show them the document. They are both informing the person of what is in the document. How, then, does a legal practitioner obtain appropriate instructions in those circumstances if they are going to argue which court the matter should stay before?

The second issue with regard to 12D is that I am quite acutely aware of section 11(5) of the main act, which states that the magistrate may inform himself or herself in a manner that he or she feels fit as to the content or the matters that they need to make a determination on. My concern is this: this is still a

criminal court. We are still in the criminal jurisdiction in this state. There are certain rights that exist in this state with regard to criminal trials. Hearsay still applies. There is no such thing—or there should not be—as a document being taken as gospel and the reverse having to apply. Proposed new section 12D seems to take away basic rights that a person in any other court facing a criminal matter should have a right to question, irrespective of whether or not they are pleading guilty. It makes no difference. That basic right should continue to exist.

**Mrs LAVARCH:** Do not get too carried away, member for Caloundra. Proposed section 12D(1) states—

The drug court magistrate may order that the report, or part of the report, not be shown to the person.

There may be very good reasons for that. There may be very sensitive circumstances. The member, being a lawyer, would know that quite often lawyers have to take instructions from their clients on very sensitive matters and we exercise our duty to the court to gain instructions. It is not as a matter of course that the defendant is not going to get the report. It gives the magistrate the opportunity in very sensitive circumstances to order that the report not be shown to the person.

**Mr McARDLE:** The Attorney has answered part of the question. What about the other part of the question I put—that is, the reversal of the onus, the hearsay rule being thrown out and other matters that are contained in 12D(2), (3) and (4) that run contrary to any principles that we have in the criminal justice system? What is the reason that these matters are excluded? Is there a valid reason that this should apply in these circumstances? Even if the person is pleading guilty, it is still a criminal matter. It is still a criminal jurisdiction that we are dealing with.

**Mrs LAVARCH:** Perhaps this might help the member to understand. Indicative assessment reports were introduced some time after the court began operating, because to get a proper assessment as to whether someone was eligible for an intensive drug rehabilitation order takes some time as they have to have reports from appropriate health people—psychiatrists, psychologists et cetera. So what became the practice of the court was to get some indicative assessment of whether a person would be eligible or not to enter the Drug Court program.

As Magistrate Costanzo notes in his report, they found that many people were seeking to come under the Drug Court program who were not suitable but it was taking some time to assess whether or not they were suitable. So the way through that was to have an indicative assessment. As I said in my summing-up speech, the indicative assessment is about a 20-minute interview. No samples are taken. It takes into account the eligibility criteria for someone to be in a Drug Court program. The report can be given orally or in writing. It gives an early indication whether that person is eligible for the program. What these sections do is formalise what has been the practice in the court for quite some time.

Question—That clause 18, as read, stand part of the bill—put; and the House divided—

**AYES, 54—**Attwood, Barton, Bligh, Boyle, Briskey, Choi, E Clark, L Clark, Croft, Cummins, E Cunningham, English, Fenlon, Finn, Fouras, Fraser, Hayward, Hoolihan, Jarratt, Keech, Lavarch, Lawlor, Livingstone, Lucas, Male, McNamara, Mickel, Miller, Molloy, Mulherin, Nelson-Carr, O'Brien, Palaszczuk, Pearce, Pitt, Purcell, Reilly, Reynolds, N Roberts, Robertson, Schwarten, Scott, Shine, Smith, Spence, Stone, C Sullivan, Wallace, Welford, Wellington, Wells, Wilson. Tellers: Nolan, Reeves

**NOES, 25—**Copeland, Flegg, Foley, Hobbs, Horan, Johnson, Knuth, Langbroek, Lee Long, Lingard, Malone, McArdle, Menkens, Messenger, Pratt, Quinn, Rickuss, E Roberts, Rowell, Seene, Simpson, Springborg, Stuckey. Tellers: Hopper, Rogers

Resolved in the **affirmative**.

Clauses 19 to 22, as read, agreed to.

Clause 23—

**Mr McARDLE** (3.55 pm): Clause 23 deals with the 'assessment report', the major report the court uses to determine what the program will be in the rehabilitation progress of the individual. In 16B we have very similar provisions to those in 12D in that a person may not be allowed to see the total of the report or may see only parts of it. The report itself is, in essence, sacrosanct and an objection cannot be taken on the grounds of hearsay. This is the critical report for the court after the content is put together by the requisite health professional. Again, we have a criminal jurisdiction, in essence, reversing the onus of proof and removing one of the inherent rules of the criminal justice system, that is, the rule on hearsay. What is the basis for these particular rules to be inserted in legislation in such a critical element which changes, in fundamental ways, what we have believed and held dear in the criminal justice system for centuries?

**Mrs LAVARCH:** I think the member for Caloundra misunderstands the whole process. This is not about having an onus of proof at all. To be eligible for the Drug Court program, a person has to have admitted their guilt in the first place. The report is an assessment as to whether the person is eligible to do the program or whether the program would suit them. To get into the program, the defendant has to have pleaded guilty.

**Mr McARDLE:** Irrespective of whether a person pleads guilty or not, in the criminal justice system there are still rights that people have. There are still the rights to deal with things as we have dealt with them from time immemorial. We still have the right to object to hearsay content in documentation. We still have the right to object to material. It is unbelievable that, simply because someone has pleaded guilty, those inherent rights we have protected very, very strongly are now removed.

**Mrs LAVARCH:** The criminal justice system operates, on an everyday basis, on pre-sentence reports that contain hearsay material. The onus of proof question is whether someone is pleading guilty or not. This is about eligibility to be on the Drug Court program. I think the member totally and utterly misunderstands what this is about.

Clause 23, as read, agreed to.

Clauses 24 to 46, as read, agreed to.

Clause 47—

**Mr McARDLE** (3.58 pm): I need clarification on clause 39A, 'Disclosure of relevant information'. It deals with compliance information and related information that is defined under the mother act, so to speak. Could the minister explain clause 39A(c), 'relevant information', which states—

...any other information prescribed under a regulation for this section;...

Does the minister have an idea of what 'other information' she is talking about in the bill? It appears to me that compliance and related information do tend to deal very widely with it when one looks at how they are defined under the mother act.

**Mrs LAVARCH:** I have confirmed that from time to time the courts may require some other documentation. There may be a document that does not come under the category of 'related' or 'compliance'. This is a cover-all provision.

Clause 47, as read, agreed to.

Clauses 48 to 71, as read, agreed to.

Insertion of new clause—

**Mrs LAVARCH** (4.00 pm): I move the following amendment—

- 1       **After clause 71**  
           At page 45, after line 9—  
           insert—
- 'Part 5                                       **Amendment of Judicial Review Act 1991**  
 '72       **Act amended in pt 5**  
           'This part amends the *Judicial Review Act 1991*.
- '73       **Replacement of pt 7 (Transitional provision)**  
           'Part 7—  
           omit, insert—
- 'Part 7                                       **Declarations**  
 '58       **Small Claims Tribunals Act 1973 reference**  
           '(1) This section applies to the following item that was in schedule 1, part 1, immediately before the commencement of the *Statute Law (Miscellaneous Provisions) Act 2000*, schedule, amendments of the *Judicial Review Act 1991*, amendment 4 (the **amendment**)—  
               7. *Small Claims Tribunals Act 1973*, section 19  
           '(2) It is declared that the amendment never had any effect to omit the item and the item has been listed in schedule 1, part 1, at all times after the amendment.  
           '(3) It is further declared that the declaration in section 58, repealed by the *Drug Legislation Amendment Act 2005*, section 73, never had any effect.'
- '74       **Amendment of sch 1 (Operation of other laws)**  
           '(1) Schedule 1, part 1, item 6AA—  
               omit.  
           '(2) Schedule 1, part 1, item numbering—  
               omit.'

This amendment clarifies the review mechanism that applies to the decisions of the Small Claims Tribunal. I have tabled the explanatory notes. Decisions of the Small Claims Tribunal are decisions of judicial character. In the interests of ensuring finality for the disputes before the Small Claims Tribunal, they can only be challenged because of a lack of jurisdiction or a denial of natural justice. This is established by section 19 of the Small Claims Tribunals Act 1973.

Because section 19 of the Small Claims Tribunal Act refers to a writ of certiorari, prohibition or other prerogative writs it was considered necessary to clarify in the Judicial Review Act that this later act did not affect the operation of section 19 of the Small Claims Tribunal Act. This meant that section 19 of the Small Claims Tribunal Act was referred to in schedule 1, part 1 of the Judicial Review Act 1991.

It is possible that because of an error when reprinting the Statute Law (Miscellaneous Provisions) Act in 1997 the reference to section 19 of the Small Claims Tribunal Act was inadvertently omitted and this has continued through. This error has now been brought to our attention. As it was always the intention that Small Claims Tribunal decisions not be covered by the Judicial Review Act, we are correcting the error made back in 1997.

**Mr McARDLE:** I will make two points on this amendment. We will be opposing the amendment on the basis that, firstly, it has nothing whatsoever to do with the bill before the House. It is totally unrelated and should not be part of this debate. Secondly, as I understand it this matter derives from a Supreme Court decision by Justice Byrne in December 2005. As I said in my speech in the second reading debate, Justice Byrne at page 7 went to some pains to establish the grounds on which he referred to forensic material.

I understand that the parties are now headed to the Court of Appeal. If this amendment is passed by the House we will be interfering with an ongoing legal matter and our actions will have ramifications for one of the parties currently in the judicial system. So on two grounds we will be opposing this amendment. One is that it has no correlation to the bill before the House. The other is that it is an ongoing legal matter. The action by this House today crushes the rights of a litigant currently before our justice system.

**Mrs LAVARCH:** I think the very fact that the member is opposing this amendment and has raised those issues indicates that he does not talk to his National Party colleagues. Perhaps he should have a discussion with the member for Maroochydore. It was on behalf of her constituents that she urged that we take urgent action in relation to the Small Claims Tribunal Act.

I accept that it is unusual to make an amendment whilst there is a court proceeding, but I have received correspondence from the Chief Justice of the Supreme Court also asking that this amendment be brought in. The fact that it is urgent required that it be brought before the House as soon as possible. That is why it has been added into this piece of legislation. It was the most efficient way of doing it. It is a matter that many have called on us to accommodate.

Perhaps the member might change his view if he understands the ramifications of not bringing in this amendment. There was an error which occurred in legislation. It occurred when those opposite were in government. That error was not picked up in subsequent legislation. It has remained in place and has opened the door to judicial review of Small Claims Tribunal decisions when it was never intended there be a review through the Judicial Review Act. They are final decisions, except for those limited categories set out in the Small Claims Tribunal Act.

The decision of Hon. Justice Byrne was delivered on 9 December. In that decision he makes it very clear that the error was a drafting slip. He also made other critical findings. First, he stressed the need for the finality of orders and the various factors which combine to restrict the scope for challenges to decisions of the referee involving the fact that no official record of evidence is kept. Secondly, Justice Byrne noted that the amendment was in a miscellaneous provisions statute which tells strongly against any intention to detract from the finality of determinations of the Small Claims Tribunal by in effect abrogating the important provision of section 19 of the Small Claims Tribunal Act. Thirdly, Justice Byrne also referred to the explanatory notes, from which he concluded that it could not have been intended to refer to section 19 of the Small Claims Tribunal Act. Finally, he referred to the words of the 2000 statute, to the Acts Interpretation Act and to decisions of the High Court and the House of Lords.

A notice of appeal has been filed, but I am fortified by the legal advice that I have received and also by the formal suggestion from the Chief Justice of Queensland that this amendment should be passed. The Chief Justice wrote to me on 9 December suggesting that I arrange for the correction to the legislation to be enacted quickly. The member might be interested in what he said in his letter. He points out to me that a drafting mistake in the 2000 statute will have exposed all decisions of the state's Small Claims Tribunal to judicial review in the Supreme Court. I understand from the Chief Magistrate's annual report that in 2004 and 2005 there were 16,813 small claims lodged. Parliament is aware of this error and it is necessary for parliament to correct it. That is what we are doing now.

**Mr McARDLE:** I find it astounding that the Attorney says it is the member for Maroochydore's fault that we are doing this. The Attorney has carriage in this matter to place legislative amendments before the House at the appropriate time. To turn that around and indicate that because a member of the opposition is asking for this to be done urgently is the reason the Attorney is rushing the amendment into the House is ridiculous.

Secondly, this matter is still a matter before the court. I ask members to consider the matter of Fingleton. That went all the way to the High Court. It was that court that finally ruled on the matter. The minister cannot take one judge's ruling and therefore say that that is it. The Chief Justice may very well have written to the minister back in December to ask that it be amended. I accept that he made the statement. That does not mean that a higher court is not going to make a different ruling at the end of the day. We do not think it is appropriate for this House to intervene in this process.

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

**AYES, 54**—Attwood, Barton, Beattie, Bligh, Boyle, Briskey, Choi, E Clark, L Clark, Croft, Cummins, English, Fenlon, Finn, Fouras, Fraser, Hayward, Hoolihan, Jarratt, Keech, Lavarch, Lawlor, Livingstone, Lucas, Male, McNamara, Mickel, Miller, Molloy, Mulherin, Nelson-Carr, Nuttall, O'Brien, Palaszczuk, Pearce, Pitt, Purcell, Reilly, Reynolds, N Roberts, Robertson, Schwarten, Scott, Shine, Smith, Spence, Stone, C Sullivan, Wallace, Welford, Wells, Wilson. Tellers: Nolan, Reeves

**NOES, 26**—Copeland, E Cunningham, Flegg, Foley, Hobbs, Horan, Johnson, Knuth, Langbroek, Lee Long, Lingard, Malone, McArdle, McKens, Messenger, Pratt, Quinn, Rickuss, E Roberts, Rowell, Seeney, Simpson, Stuckey, Wellington. Tellers: Hopper, Rogers

Resolved in the **affirmative**.

### Third Reading

Bill, as amended, read a third time.

## ORDER OF BUSINESS

**Hon. AM BLIGH** (South Brisbane—ALP) (Deputy Premier, Treasurer and Minister for State Development, Trade and Innovation) (4.15 pm): I move—

That order of the day No. 2 be postponed.

Motion agreed to.

## AUDIT LEGISLATION AMENDMENT BILL

### Second Reading

Resumed from 25 October 2005 (see p. 3441).

**Mr ROGERS** (Redcliffe—Lib) (4.16 pm): I rise to speak to the Audit Legislation Amendment Bill 2005. I state for the record that I am a fellow of the Institute of Chartered Accountants and hold a public practice certificate. The Audit Legislation Amendment Bill proposes to amend various pieces of legislation to stipulate the qualifications required for a person to conduct a financial audit. It proposes to amend the qualifications required in Queensland for a person to conduct a financial audit in order to make these qualifications consistent and equitable across all of the acts. A review of the legislation has revealed inconsistencies concerning the qualifications required for a person to undertake a financial audit. The current legislation does not always treat members of the National Institute of Accountants, the NIA, consistently with the members of the other two professional accounting bodies in Australia: the Australian Society of Certified Practising Accountants, otherwise known as CPA Australia—I believe we have some in the House—and the Institute of Chartered Accounts in Australia, the ICAA. We accept that the change must be made to update the current legislative requirements. The proposed amendments specify the required minimum level of membership for the three accounting bodies. It has been recognised in the amendment that currently a person may merely be required to be a member of the professional body and consequently qualifications for an appointed auditor are inconsistent.

The amendments will allow members of all three major professional accounting bodies—CPA Australia, ICAA and NIA—to be equally eligible for appointment as an auditor. The modifications will include NIA members to be on the same basis as members of the other professional accounting bodies who may conduct an audit. The legislation clarification means that members of the newer NIA body will be required to meet the same level of membership as those members of CPA Australia and ICAA who conduct audits. It is important that all members in the three major associations are treated equally. However, the association members must be categorised effectively and consistently in order to make these provisions work. Presently, CPA Australia has around 65,000 full members and the ICAA has roughly 43,000 members. The National Institute of Accountants, the NIA, which the amendment will be including to be recognised as a professional accounting body, currently has approximately 13,000 members. Competition for membership does exist between the bodies—that can be seen from strong advertising campaigns—but overall these major institutions are working together effectively and courteously within the accounting industry.

The bill seeks to amend the qualifications required for a person to conduct less complex financial audits on incorporated associations. There are over 20,000 incorporated associations in Queensland. Incorporated associations are often sporting clubs, parents and citizens associations, religious associations, charitable organisations, voluntary and community groups and, I might add, political branches. While some associations have negligible assets and few members, some have significant annual turnover each year and thousands of members.

Associations are principally required to submit a professionally audited annual statement setting out their income and expenses for the previous financial year. However, auditors have become reluctant to undertake annual audits of small associations because of the increase in auditors' insurance premiums. Consequently, smaller associations are finding it difficult to afford the cost of an audit. In fact, 80 per cent of associations could fall into this category. Currently there is no consistency between the three major bodies with regard to membership attainment and qualification requirements. CPA Australia and ICAA require a prequalification postgraduate course to be completed before a recognised member can conduct audits. Further, to become a registered company auditor Corporations Law currently requires the person to only be a member of CPA Australia or the ICAA.

The cost of an audit is significant for many associations and I would like to see a system of tiered audits implemented. This would be a system where the audit requirement of an association is based on the level of its turnover. This would be very attractive to some of our smaller organisations. This system would require large turnover organisations to be audited by a registered company auditor. This differs to what is currently the case. The requirements for a registered company auditor are controlled by ASIC. Many small associations may have a turnover of less than \$1,000 and, believe it or not, the cost to audit such associations could well be \$500 or more. Whilst it is important that these associations are accountable, perhaps they could simply supply a statement of position instead of undergoing a costly audit.



The rest of the audits, that is those in the middle, could be performed as most are currently done, and that is by a certified practising accountant or a chartered accountant and now an NIA member who holds a public practice certificate. I believe the specifics required as the minimum level of entry to perform an audit is the key to future standards. Now is the time to stipulate qualification and training standards. Now is the time to create good policy regarding incorporated associations and tiered auditing requirements. Now is the time to ensure the standards are equal, reliable and definite across-the-board.

I recommend and commend the benefits of incorporating a sizeable and functioning accounting body such as the NIA and that these changes included in the Audit Legislation Amendment Bill are an inevitable fact. I have had discussions with the major professional accounting bodies. They see this as yet again the inevitable fact. I commend the bill to the House.

**Mr NEIL ROBERTS** (Nudgee—ALP) (4.22 pm): It is a pleasure to speak in support of the Audit Legislation Amendment Bill. Auditors are fantastic people. Each year I look forward to sharing the stage with many of them as we recognise the professionalism of government departments and the employees involved in preparing departmental annual reports. The Queensland Public Sector Annual Report Awards will be held on Thursday, 6 April 2006. Once again I have the pleasure of representing the Deputy Premier at these awards—in fact, for the third year in a row.

The importance of professional auditing services cannot be underestimated. Their importance in a business and government sense is obvious, but we also need to acknowledge the critical role auditing plays in ensuring the integrity and efficiency of many community based organisations. Groups such as parents and citizens associations and other community based organisations rely heavily on auditors to independently assess their accounts and provide the necessary reports. It is a good insurance for these organisations so that they can assure their members and the general community that all of their funds, often raised directly from the community, are properly accounted for.

In common with me, I am sure other members in this House have had issues raised from time to time by sections of some community groups about how and where funds have been spent by an executive committee. By requiring annual independent audits of incorporated community based organisations, these issues can be kept to a minimum and also ensure the proper expenditure of community funds, a matter of increasing importance given the quite large amounts of money being managed by some groups.

The responsibility to properly account for funds means that access to consistent, professional and independent advice from properly qualified accountants is increasingly important. The Audit Legislation Amendment Bill ensures that accountancy professionals have the necessary skills to provide that advice and, more importantly, that their required qualifications will now be consistent throughout the three recognised accountancy professional associations, the National Institute of Accountants, CPA Australia and the Institute of Chartered Accountants in Australia. The legislation will ensure that community groups can confidently employ suitably qualified accountants who are members of these associations. This is a welcome initiative and the House should fully support this bill.

**Hon. KW HAYWARD** (Kallangur—ALP) (4.24 pm): It is a pleasure to contribute to the debate on this bill, which corrects an anomaly regarding the qualifications of a person needed to conduct a financial audit and treats members of the three recognised professional accounting bodies equitably and consistently. From what I have heard this afternoon, this certainly is not a controversial bill. I am assuming that it will have the agreement of the whole parliament.

The three bodies that are involved are the Institute of Chartered Accountants in Australia, CPA Australia—which was previously known as the Australian Society of Certified Practising Accountants—and the National Institute of Accountants. The member for Redcliffe reminded me—and I suppose I should take the opportunity to acknowledge—that I am a fellow of the Institute of Chartered Accountants and a member of CPA Australia. Unlike him, I do not hold a practising certificate. So please do not ask me for any advice. The legislation will also require that a person is not only a member of one of those three bodies but will require a minimum level of membership. Currently, the legislation does not specify any minimum level of membership required.

This bill proposes to amend various pieces of legislation that detail qualifications for auditors. The background of this bill is that two organisations, the Institute of Chartered Accountants in Australia and CPA Australia, have been around for a long time and are well recognised in financial and consumer areas. The other body, the National Institute of Accountants, was not considered consistently with members of the other two bodies. This legislation will change that situation finally.

I heard the member for Redcliffe say that the National Institute of Accountants represents 13,000 members, but I understand now it is more than 14,000 members working in industry, commerce, government, academic and private practice. Many of these members may hold dual membership or even have membership of all of the accountancy bodies. Nevertheless, these changes will provide more qualified auditors to undertake the tasks required.

This legislation provides some advantages. It will be easier to find and appoint an auditor and it will provide access to work opportunities that were previously denied because the National Institute of Accountants' membership was not recognised. Hopefully, the legislation may have the desired effect

from a consumer point of view of putting some pressure on auditors not to increase their audit fees because it introduces another potential 14,000 people who are able to perform these various audits that are required. I welcome this legislation and support it strongly.

**Hon. AM BLIGH** (South Brisbane—ALP) (Deputy Premier, Treasurer and Minister for State Development, Trade and Innovation) (4.28 pm), in reply: I thank honourable members for their contributions to the debate and for their support of the bill. It is a very straightforward bill that brings Queensland into line with federal arrangements and puts qualified members of all of the professional accounting bodies on to an equal footing.

I take a moment to recognise the work of the National Institute of Accountants which visited me in my electorate office prior to my coming into this portfolio in October 2004. On behalf of the national institute, Karen Fitzgibbons brought this matter to my attention. I brought it to the attention of the former Treasurer, Terry Mackenroth, and he and the Under Treasurer, Gerard Bradley, moved very quickly to put in place what is a straightforward bill in policy terms but quite a complex bill in drafting terms. I thank all of the officers associated with the drafting of the bill and its presentation to the House. I thank honourable members again for their support. I commend the bill.

Motion agreed to.

### Consideration in Detail

Clauses 1 to 53 and schedule, as read, agreed to.

### Third Reading

Bill read a third time.

## GAMBLING

**Hon. AM BLIGH** (South Brisbane—ALP) (Deputy Premier, Treasurer and Minister for State Development, Trade and Innovation) (4.30 pm): I move—

That this parliament—

- (1) notes the coalition gambling policy announced in December to reduce poker machines by 20 per cent;
- (2) notes that a 20 per cent reduction in poker machines will result in the reduction in state revenue of \$65 million a year, including shortfalls to the Gambling Community Benefit Fund and the health services levy of some \$5.6 million and \$6.5 million respectively;
- (3) notes that the buyout compensation package of 20 per cent of poker machines would require as much as \$587 million;
- (4) notes that in 2005 the Queensland government launched the Responsible Gambling Community Awareness campaign, which is the first responsible gambling policy implemented by any state government in Australia;
- (5) notes that the government calls on the opposition to provide details forthwith to allay growing community concerns regarding cuts to program funding and cuts to services their policy would have; and
- (6) calls on the opposition shadow treasurer—in the interest of open and transparent public debate—to table forthwith the details of which programs and personnel will be cut to cover this loss of revenue.

I draw the attention of the House to a number of features of this motion. Firstly, it draws the attention of the House and the people of Queensland to a policy position outlined by the opposition in December last year and repeated in January to cut the number of poker machines in Queensland by 20 per cent, or 4,000 machines.

When we debate this motion it is important for us to understand the place that revenue from poker machines and other forms of gambling have in the make-up of the state budget. Revenues to the state budget in Queensland, as in other jurisdictions around the country, are coming from an increasingly narrow base. The GST arrangements saw the states undertake, in conjunction with the Commonwealth government, to reduce a number of state based taxes thereby reducing the base upon which the states can rely upon revenue. In essence, that means that Queensland will be abolishing seven taxes over the next seven years. The abolition of those taxes will come at the same time as Queensland's revenue from the GST in relative terms is set to decline. We are already on a less than per capita basis for special purpose payments from the Commonwealth. All of those effects on the state budget will coincide with increased expenditure on infrastructure as part of the infrastructure plan and that is necessary to plan for the growth that we will see in population terms. Given those budget parameters it is important that, when all sides of politics are drafting and considering policy in the lead-up to the next election—as inevitably we will be and, in fact, we all have a responsibility to do that—we are cognisant of the budget effects that those policies will have.

The budget effect of the policy put forward by the coalition in December last year to reduce the number of poker machines in Queensland by quite a large per cent—20 per cent—is quite a significant budget effect. In annual terms that budget effect is estimated to be \$65 million—and that is a conservative estimate because, obviously, it depends on where the 20 per cent of machines comes from, the degree to which it has been utilised and the tax that has been paid on it. However, a

conservative estimate is \$65 million. The current revenue from poker machines taxes in Queensland is \$590 million.

In addition to the annual revenue decline, we will see an effect on the bottom line of the budget in the years in which the 20 per cent of poker machines is taken out. You cannot simply take 20 per cent of poker machines out of operation without compensating those people who, in many cases, have paid very significant amounts for a licence. The current estimates—again depending on where the machines are located—indicate that there would be over \$500 million in compensation to the owners of the licences of those machines. All in all, we are looking at potentially a \$600 million budget effect. It may well be the case that the opposition, in putting forward this policy, is able to compensate or mitigate for that effect. I think it is important that it comes into the parliament and into the public arena and outlines how it intends to do that.

As members will be aware, in many cases the hotel and club industry derives a substantial part of its own income from the revenue from poker machines. It also derives it from the sale of alcohol and food and other activities associated with its establishments. But if you take 20 per cent out of a large part of the revenue to the hotels and clubs in the regional cities of Queensland, that would inevitably have an employment effect. It is not as straightforward as saying that taking out 20 per cent of poker machines would have a 20 per cent effect. I do not for one minute put that forward. But we should be under no illusion that, if a revenue source from a club or a hotel is withdrawn, there will be an impact on the employment that that club or hotel is able to sustain. I think it is important that members opposite, in putting forward this policy that would have a very serious impact on the budget's bottom line and would inevitably have employment effects particularly in regional towns and cities in Queensland, are open and transparent about how they intend to fill that hole.

A very important part of the framework that governs gambling in Queensland and the gambling revenue that comes to the state is the framework around the hypothecation of some of that revenue for a community purpose. The Gambling Community Benefit Fund, and now the health services levy, have been an important part of the funding arrangements for community organisations in Queensland for more than a decade. There would be no member in this House on any side of politics who would be unfamiliar with the importance of those grants. They are a source of revenue for some of our smallest volunteer organisations that do a tremendous job in every one of our electorates who are in a position, because of this grant program, to put in place much-needed new equipment and new services.

Under the proposal being put forward by the coalition, the Gambling Community Benefit Fund would lose \$5.6 billion a year. I think it is important that the coalition outlines to us exactly how it intends to fill that gap. On average per year, that is 350 grants. I think that the community organisations in my electorate would certainly like to know if their chance of receiving a grant is going to be diminished under the coalition's policy. We are also very familiar with the fact that not all of the worthy causes that we would like to support are always successful. If the pool becomes smaller, then their chances of success will diminish. So it is important that the coalition is in a position to explain to us exactly how it intends to sustain the amount of revenue going into the Gambling Community Benefit Fund.

In a debate on a motion such as this it is important to recognise that, unfortunately, gambling like other legal activities such as drinking alcohol and smoking can become addictive. There is no doubt that every single member in this House would have come across some very tragic circumstances among their own constituents where people have been unable to control their urge to gamble. Like other legal activities that lend themselves to addictive behaviour, governments have an obligation to regulate those activities. In Queensland we certainly regulate them within a very strict range of parameters. But we also have an obligation to do what we can to alert people to the dangers and to create an awareness of those dangers. I am pleased to advise the House that Queensland has one of the strongest responsible gambling programs in the country. We were the first state to put in place a major awareness marketing campaign. We have seen a very strong and positive response to that. I certainly intend to continue that sort of activity as part of our responsible gambling initiatives. We have to get the balance right. At the moment I think that the balance is reasonable between state revenue, funding community organisations, service delivery and responsible gambling initiatives.

Probably one of the worst aspects of what has been put forward by the coalition is the breathtaking hypocrisy between what it did when it was on this side of the chamber and what it proposes when it is on that side of the chamber. When the coalition was on this side of the chamber, it did not support a cap on poker machines. There was no cap and gambling machines were allowed to proliferate without any controls whatsoever. In fact, when a cap was put forward, the then shadow treasurer, Dr David Watson, on behalf of the coalition said that a cap would be unfair and that the market should decide. That was the coalition's policy when it was in government. That was also the coalition's policy when a cap and some control was put in place by this government.

I keep describing the proposal to limit poker machine numbers as coalition policy. I am very pleased to see the shadow treasurer in this place, because up until now I have heard only members of the National Party comment on it. I find it extraordinary that, if this policy were to proceed, the Liberal Party would seek to put Queensland's hotels and clubs in what could only be described as a precarious position.

Clubs and hotels want to know what the coalition means when it says it is going to take 20 per cent of machines out of the system. The constituents of all of our electorates are entitled to know what the coalition means. Community organisations that depend on these grants are entitled to know what the coalition means. Most of all, we are all entitled to know which services will be cut in order to sustain this policy, what programs and infrastructure will be delayed to pay for a \$500 million compensation package. How on earth does the coalition imagine it will do this? I look forward to listening to the rest of the debate and understanding what I think has been a very irresponsible and ill-thought-out policy. I am not surprised that the much vaunted February discussion paper has not been seen. It certainly was not seen in February. We are now in March, and some way down the track in March, so maybe this debate will shed a little light on what is, I think, a very interesting coalition policy.

**Mr NEIL ROBERTS** (Nudgee—ALP) (4.40 pm): I am pleased to second the motion moved by the Deputy Premier. This afternoon we are debating a motion which is just one more example of why this uneasy coalition between the National and Liberal parties is not fit for government in this state. It is just one more example why the coalition needs at least another term or two in opposition.

There is a growing list of significant policy differences between the two parties. If we go back a few years—and the Deputy Premier has just alluded to this—in 1996 the then member for Moggill, Dr Watson, as parliamentary secretary undertook extensive consultation with the industry about gaming machines and the like and is on the public record stating that Liberal Party policy at the time was to have an unregulated approach to poker machines. In fact, he advocated having no cap and put the Liberal philosophy that the number of poker machines in clubs and pubs should be purely determined by the market. Just a few short years on, we now have the Leader of the National Party out in the community saying that we need to not only have a cap but also reduce the number of poker machines in the community. Again these policy differences between the National Party and the Liberal Party are many and varied, and this is simply just one more example of the massive differences that exist in some significant policy areas between these two parties.

In December last year the opposition leader announced that he was pushing for a 20 per cent reduction in the number of poker machines across Queensland and announced that in February this year we would have a detailed discussion paper which would outline these proposals to allow and draw comment from industry, church and welfare groups. I will deal with the issue of the reduction in poker machine numbers shortly. But, first, the obvious question is: where is the discussion paper and, in fact, does it exist? Will it provide the detail the Deputy Premier and others have been calling for? More specifically, where will the money be coming from to implement this very expensive policy? What services will the opposition be cutting to fund these expensive promises? Given the deathly silences from the opposition on these issues, no wonder the clubs and pubs and the people who work within them and use their facilities are becoming increasingly concerned about this proposal.

I want to look in a little more detail at the implications of the 20 per cent reduction in poker machines in a moment. But first I want to highlight a very important issue for this government—that is, what we are doing to address the issue of problem gambling in the community, and it is a responsibility we take very seriously. Our responsible gambling strategy has been recognised as amongst the best problem gambling programs in the country. That does not mean that we can rest on our laurels, but it indicates that we are heading in the right direction with our initiatives and are serious about tackling this problem which we all know does affect a small proportion of gamblers.

Some of the key initiatives under our program are as follows. We have a research grants program which, since 2002, has funded 17 projects to the tune of \$2.071 million. Our early intervention and prevention program has resulted in the production of a teaching resource kit to educate young people about the risks of gambling and also in a community awareness campaign to prevent people from becoming problem gamblers. We produced a code of practice to assist gambling venues adopt responsible gambling practices. We have established 13 gambling help counselling services throughout the state and a 24-hour crisis helpline and an in-patient rehabilitation service here in the south-east corner. Also, we have a very proactive Responsible Gambling Advisory Committee, which provides advice to government on how to minimise the negative impacts of gambling. As I indicated, we believe that we are heading in the right direction with our responsible gambling policy, but we will continue to monitor the impacts of gambling on the community to ensure that our policy and our responses are appropriate.

Going back to the issue of the 20 per cent cut in poker machines, as the Deputy Premier has said, this will have a number of significant impacts not just on the state budget but also on the many thousands of community organisations that are eligible to apply for funding under the Gambling Community Benefit Fund. Given that the operating authorities in south-east Queensland are currently selling for around \$146,000, a 20 per cent reduction in poker machines would require an authority buy-out scheme, which would cost up to \$587 million. That would be \$587 million straight out of the bottom line of the budget. Additionally, poker machine tax revenue would drop by around \$65 million per annum. The Gambling Community Benefit Fund would lose around \$5.6 million per annum and the newly established health service levy would lose around \$6.5 million per annum. In total, we can confidently predict that this coalition policy will rip \$600 million out of the state coffers.

Time expired.

**Mr SPRINGBORG** (Southern Downs—NPA) (Leader of the Opposition) (4.45 pm): I move the following amendment—

**Mr Palaszczuk:** Table your white paper!

**Mr SPRINGBORG:** I would love to see a white paper from him on water—‘Mr Drought’. I move the following amendment—

That all words after ‘This parliament’ be deleted and replaced with the following—

- Notes with concern that under the Labor government its reliance on gambling has seen its take of poker machine revenue soar from \$117 million when it took office to \$525 million last year.
- Notes that under coalition governments, services such as our free hospital system could be fully funded when poker machine revenue was just a fraction of what it is today.
- Notes that the Queensland coalition has kindly agreed to hold release of its policy on poker machines to give the state government an opportunity to make a fully costed submission to the Leader of the Opposition as to why Labor is so reliant on poker machine revenue and opposes the reduction in machine numbers.

**Mr Lawlor:** Are you sure you want to be a stand-up comic?

**Mr SPRINGBORG:** On that issue, the member has not been anywhere near as good as his mate from Logan since he has been trying to do some in recent years.

If this government is so worried about the impact on the state budget then it should stand up and tell us why and justify how it has become so addicted to and reliant on poker machine revenue. There is something a bit immoral, there is something a bit strange, about a government—

**Ms Bligh:** Now they discover morals!

**Mr SPRINGBORG:** That is interesting coming from the new acting Premier, the putative Premier, sitting over there chortling and carrying on about concern for social policy given the trail of decay and broken bodies and dismay which she left when she was minister for families in Queensland and also the trail of dismay and concern about asbestos in school roofs which she left when she was education minister—something which she could not fix, yet her successor was able to fix it in a matter of weeks when he became the Minister for Education.

**Mr DEPUTY SPEAKER** (Mr O'Brien): Order! I suggest the honourable member restricts his remarks to the motion before the parliament.

**Mr SPRINGBORG:** Mr Deputy Speaker, lots of remarks have been made about lots of things.

**Mr DEPUTY SPEAKER:** Order! I have made a ruling and that is it. The ruling is made under standing order 236—relevance.

**Mr SPRINGBORG:** The ruling is made. All I am saying is that if the government is going to lecture one on social policy then it needs to look at its own record. When a government has almost quadrupled its reliance on poker machine revenue in the time that it has been in government, one really has to question where its priorities are. One has to compare this government's priorities with the priority of its Labor Party colleagues in South Australia who have been able to take a stand based on principle and admit that there is a lot of community concern about the impact of gambling and poker machines and are prepared to commit to cutting the number of poker machines by 20 per cent. How come the Labor Party in South Australia is prepared to do that, yet the Labor Party in Queensland is not?

I find it very strange and somewhat weird that we had the member for Nudgee stand here a little while ago and, on the one hand, say that the whole ship of state is going to sink if we reduce the number of poker machines and reduce our reliance on gambling in Queensland and the revenues to the government and yet, on the other hand, talk about responsible gambling. They cannot have it both ways, because there is no doubt that the number of poker machines in Queensland has had a social impact. It does not matter how much those opposite talk of responsible gambling; it has an impact on people who are least able to afford it and who are least able to control their addiction in many cases. That is the simple reality.

I would say to honourable members opposite that they should talk to people in their community, particularly small business people, about what they have noticed since the advent of poker machines some 15 years ago. That extra pair of shoes that grandmothers used to buy for their grandchildren they do not buy in many cases anymore, because that money is put through the poker machines. That is the point: there is an impact. There is a serious impact. Once poker machines are put in place, they are there. That is a fact of life.

What we have is the so-called next Premier of Queensland whose answer to the health crisis was not to act responsibly when it came to poker machines and gambling; it was to run out there and say, ‘Our solution is an extra 1,200 poker machines. That is going to solve our health crisis.’ Is it any wonder that she has a Mark Latham-like record of administration in health and family services when she has that sort of approach to gambling in Queensland? Her answer to fixing the health crisis is not structural reform; it is to put another 1,200 poker machines in place and to take money away from the people who can least afford it. There is no justification for it. What she is doing is robbing Peter to pay Paul—or, in this case, robbing the community to pay Peter and Anna. That is basically what it works out to.

There is community concern. They have got to look at what people are saying about this. We know that those in the Labor Party have available to them pretty slick research. Everyone knows that. They do not do things without reason. The fact is that they are running scared on this issue because they know that there is community concern about the issue of proliferation of poker machines and the community wants something done about it.

We will be releasing our discussion paper in the not-too-distant future, because people want to engage in it. What we are saying here by way of our amendment is that, if those opposite are so concerned with their addiction to poker machine revenue and not concerned about the social policy, they should give us a justifiable, detailed submission as to why we should see a further proliferation of poker machines in Queensland and how that is good for the population at large. It is not good enough just to say, 'We need the revenue.' This government from the time that it has taken office until 2008 will have doubled its state revenue—doubled its state tax take—yet for the same period the population growth in Queensland will be 25 per cent. So the rate of state tax increase in Queensland compared to population will be four to one. It is predicted by the government's own budget papers that by the year 2007-08 it will be taking as much from the proceeds of poker machines in Queensland as it takes in its raids on dividends from the likes of Ergon, Energex and Powerlink.

The question that needs to be asked is: is that the right sort of social policy? We want to have a decent social policy debate here. We are not prepared to cop an argument that says, 'We are going to lose some money. That is not good enough, so we have to keep taking money from the people who can least afford it.' Let us justify the decisions that need to be made. Otherwise we will see a situation in five years time of 25,000 poker machines in Queensland. We have had the families department crisis courtesy of the Deputy Premier, we have had the asbestos in schools crisis courtesy of the Deputy Premier, we have had the health crisis courtesy of the lot of them, and what is their solution? To put another 1,200 poker machines in. Every time we have a financial hole to plug in Queensland, is this government going to put another 1,200 poker machines in? I do not think that is very sensible. It is all right to stand there and poke fun and say, 'Let's not even have a debate about it.' We should have a debate about it. We will actively engage the community of Queensland as to whether it believes it is necessary to reduce the number of poker machines.

As the Deputy Premier would know, we will be releasing a discussion paper which will put forward a range of options to the people of Queensland and the clubs and the pubs—

**Mr Lawlor** interjected.

**Mr SPRINGBORG:** The member for Southport presided over not being able to build a Tugun bypass in eight years. We could do the M1 motorway in two years and four months. This is the difference.

This is something which is important and which should involve community debate and community discussion. What is wrong with that? The community should be properly engaged in a matter of good and decent social policy. That is why we will put out a discussion paper. Following from that will be a properly costed policy which will state what we are going to do as to the reduction in numbers. Frankly, I think reducing the number of poker machines by some extent will save ourselves money and social problems. Instead, the government tries to solve its black hole budget problems by milking Queenslanders, many of whom are least able to afford it. My invitation to the government today is, if it is serious, to release its information and release its data. Show us what its justification is, because it has not been prepared to do that.

**Mr QUINN** (Robina—Lib) (4.56 pm): I rise to oppose the motion moved by the Deputy Premier and Treasurer, and to support the amendment moved by the Leader of the Opposition. The motion moved by the Deputy Premier and Treasurer is based on a false premise, and demonstrably so. She admitted in her closing comments to the falsity of what she put in the paper in terms of the motion here. Paragraph 1 of the motion notes the coalition gambling policy announced in December to reduce poker machines by 20 per cent. Find me a coalition document that says that is our policy. What they can do is find a statement about a discussion paper to be put out by the coalition on the basis of wanting to reduce the number of poker machines in Queensland. That is what she can find. They cannot find what the Deputy Premier has said in the motion before the House.

The Deputy Premier comes in here and says that what we have on our side is irresponsible and ill thought out. That is exactly the phrase I would use with regard to the motion put before the House tonight. It is irresponsible in that it is not true and ill thought out in terms of the ramifications as we work our way through the parts of the motion. What we have said is that we would put out a discussion paper and let the community have its say about ways in which it thinks we can move to a reduction of poker machines in Queensland, irrespective of what the time frame is. That is the point. We can expect more of this as the election comes closer and closer, as those opposite seek to misrepresent the policy positions of our side. We will come to expect more of this from now on.

As I said before, there is some concern in the community about the effect of increasing the number of poker machines. It is quite ironic that in the face of that community concern we have a government moving to increase the number of poker machines by some 1,200 in order to cover up a

black hole caused by its own mismanagement of the Queensland health system. It needed more money. The easiest way was to increase the number of poker machines, take in more poker machine revenue from taxes on the machines and try to patch up the system.

In response to that, we on this side of politics have decided to have this discussion paper. There is nothing wrong with that. It is a well-worn path that governments and oppositions of all persuasions have trod over the past five or 10 years. To come in here and say, 'There is a coalition policy about reducing the number of poker machines by 20 per cent,' is simply misleading because a decision has not been made on that basis. There is a discussion paper coming out and that is the extent of it.

**Mr Mickel:** In February?

**Mr QUINN:** The people on the other side of the House should be the last people to lecture anyone about time frames in this House. They said, 'We are going to fix the health system. It could take three or four years.' The other day the Premier announced that it had been fixed in a couple of months. Eight years ago they were talking about building the Tugun bypass. Eight years ago! The last people in this House who should be talking about time frames are the members of the ALP government. That is the extent of it. That is why this motion ought to be defeated and why the amendment put forward by the Leader of the Opposition should be carried. It gives everyone in Queensland a chance to have their say about what they think of reducing the number of poker machines in this state. This government will not entertain that process. That is the difference.

We will allow the community to have its say about what it thinks in terms of the impact of poker machines on their lives and the community, whether they ought to be reduced, and how we should go about it. We are willing to entertain those thoughts and those submissions from the community in order to ensure that our poker machine policy reflects what the people of Queensland want.

That is in diametric opposition to what the government wants to do, which is to increase the number of poker machines in spite of the community's concern and in spite of all the social ramifications that have become well known over the past five to ten years. That is the diametric difference between us and the Labor government. The community can make the choice of which one they want to support.

Time expired.

**Mr WALLACE** (Thuringowa—ALP) (5.00 pm): The opposition's policy on poker machines could be called the Clayton, policy—the policy you have when you do not really have a policy. It reminds me of one of those rigged poker machines that one sees in the movies where someone wins, but nothing comes out in the end.

I stick up for the little groups in my electorate: the soccer clubs, the football clubs, the child-care centres that are run by volunteers, the scouts. Gambling funds are really helpful to these small groups. They cannot raise the big money, like the Cowboys and other big clubs can. That is why I stick up for them and that is why this is a really good scheme.

I did some research and found that over the last five years, 71 grants have been received in my electorate alone, totalling \$897,000. These are grants worth \$897,000 going to the small groups in my electorate—not to the big groups but to the little groups that do it tough and have to sell raffle tickets. I know that they really welcome that money. I love to see the delight on their faces when I announce these grants. They are very happy to be receiving something.

However, this mob want to get rid of that. They want to rip the heart out of it. The Queensland hotel and club industry employs 28,000 people. The opposition wants to rip the heart out of that with a 20 per cent cut. That means a cut in regional centres, a cut right across Queensland in electorates such as mine. This will affect, for example, the Brothers Leagues Club in Thuringowa.

**Mr Reeves:** A great club.

**Mr WALLACE:** I take the member's interjection. It is a great club where people can have a cheap feed. I take my wife there occasionally and we have a good night out. Occasionally we play the pokies. We actually won \$40 recently, which was great. However, this mob wants to get rid of it.

**Miss Elisa Roberts** interjected.

**Mr WALLACE:** No. Actually, that paid for dinner, thank God. This mob really is about cutting services in the regions, just as with their vote to sell Telstra. Members opposite do not care about anyone outside the south-east corner, especially the Liberals. They really do not care. By removing poker machines, they will rip the heart out of our clubs and pubs right across Queensland.

Since 1994, the Gambling Community Benefit Fund has provided over \$280 million worth of grants for 27,267 community and sporting projects right across Queensland. Everyone would have to agree that that is a massive injection of funds and a reward for hardworking community groups.

Members opposite had their new policy of wanting to cut 4,000 machines from hotels trumped in the media in December and again in January. As the Deputy Premier stated, they do not appear to have thought through how to make up the estimated \$65 million per annum in lost gaming tax revenue. Do they not realise the shortfalls that will create in the community benefit fund and the health services levy? A loss of approximately \$5.6 million and \$6.5 million respectively will be felt right across the state. They really have not thought this out. They have just gone out on a limb and thrown a silly policy into the wind.

Why will they not think about this? Why do they not plan this a little better? They are—in the term coined last year by my good friend, the honourable member for Logan—the best resourced but the laziest opposition in Queensland's history. This is another lazy attempt to grab power by a group that just does not think.

**A government member:** A knee-jerk reaction.

**Mr WALLACE:** I take the honourable member's interjection. It is a knee-jerk reaction. How will they choose which machines should go? Will they go from the small, family owned pubs that operate right across Queensland? I have some very good friends who own pubs across Queensland, and they rely heavily on revenue from the pokies to make ends met. Will they get rid of them? I hope not.

The opposition should really think about this. The Leader of the Opposition claims to be strongly for families, but which families does he claim to represent? Just the ones with rich landholdings, or the small pub owners and the people who work in clubs and pubs right across Queensland.

Let me provide an insight into how the Nationals manage gambling. Mr Springborg has posted a statement on [www.springborg.com](http://www.springborg.com), along with failed Nationals' candidate for Hervey Bay, Bernie Martin, which talks-up the local candidate. Wait a minute. Is this the same Bernie Martin who Mr Springborg had to chastise last July for running a dodgy fundraiser? Is it the same crooked wheel? He was duping local emergency service workers into believing they were buying charity raffle tickets when, in fact, it was a National Party raffle. That is their policy—dupe people, deceive hardworking volunteers into thinking he is their mate, then cut them down.

**A government member:** That is their family values.

**Mr WALLACE:** Their family values are to rip people off.

**Mr SPRINGBORG:** I rise to a point of order. I do not mind being belted around by the honourable member for Thuringowa because one does not really notice it. However, I just draw your attention to the ruling made by Mr O'Brien, the member for Cook, when he was in the chair earlier today in relation to relevance. Based on that ruling, I suggest that a similar restriction should be placed on the honourable member for Thuringowa.

**Mr DEPUTY SPEAKER (Mr Fouras):** Order! I am afraid that the honourable member's time has expired, so I do not need to rule on relevance, Leader of the Opposition.

**Mr SEENEY (Callide—NPA) (Deputy Leader of the Opposition) (5.05 pm):** The failings of the Beattie Labor government are many. However, today it has put up its hands in surrender and indicated that it has also failed in its financial management. Today, the Treasurer has told the parliament and the people of Queensland that she and the Beattie Labor government cannot survive without the revenue from every poker machine that they have. They desperately rely on every poker machine.

This is a morally bereft Labor government with its very own gambling addiction. It depends on that gambling addiction to keep the state afloat. What an insult. What a contrast to the sound financial management that was a feature of this state with the treasurers of old. They built the sound financial basis of which Queensland has always been proud.

Today, Queensland's Treasurer comes in here and tells Queenslanders that she has to have revenue from every poker machine in Queensland in order to survive. This is a morally bereft government. It has failed with everything that it has tried. We have a morally bereft Treasurer. She has failed in every department that she has administered and she now fails as Treasurer, because she has to keep her hand in the pockets of Queenslanders who can least afford it. She has to take the household budget out of the pockets of Queenslanders who cannot afford it. She has to encourage them to put it into the poker machines so that she can keep the state afloat. The Treasurer has failed before she has started.

She should take a leaf out of the book of her colleagues in South Australia. I quote from a press release, dated 8 December 2004, by Mr Rann—

The Parliament passes government's landmark poker machine bill. The Rann government's landmark legislation to cut 3,000 poker machines in South Australia has been passed by both Houses of Parliament. The new legislation will see the numbers of poker machines in the state cut from 15,000 to 12,000, a reduction of 20 per cent. I congratulate the members who supported this bill and who never stopped believing that it could have a positive effect on people's lives.

Other state Labor governments have recognised the wisdom of reducing the number of poker machines. Other state Labor governments have recognised their effect on the social wellbeing of their communities and their states. Other state Labor governments have managed without an addiction to the poker machine industry, which the Queensland state government has come to rely on.

There are two figures in the amendment moved by the Leader of the Opposition tonight which every Queenslanders should look at and remember. The government took \$117 million from poker machines when it came to office. It now takes \$525 million, an increase of some \$400 million. I say to every Queenslanders out there that they should bear that figure in mind. The extra \$400 million that they should have spent on their families and in their communities over the last seven years has been sucked into the coffers of this government to prop up a string of administrative mistakes.



In the main who has been responsible for those mistakes? The Treasurer asked over and over again how we were going to compensate for the small amount of money that she would lose if we cut the number of poker machines. The answer is simple: stop making mistakes; stop presiding over financial disasters. The Treasurer should stop trying to buy her way out of financial disasters that are the result of her own incompetence—financial disasters like the families department that the Treasurer presided over and which cost this state millions—

**Mr O'BRIEN:** Mr Deputy Speaker, I rise to a point of order. My point of order relates to standing order 236, relevance. The matter that the member is raising is not relevant to the motion before the House.

**Mr DEPUTY SPEAKER** (Mr Fouras): Order! There is no point of order.

**Mr SEENEY:** Stop presiding over financial disasters like the health system that the government has had to buy its way out of. Stop presiding over disasters like asbestos roofs on our state schools that the government ignored. It has now had to rush in and put in place a comprehensive program to try to replace them in a hurry. All of these are administrative disasters that this Treasurer presided over and has had to buy her way out of.

There are other administrative disasters. The AMC disaster cost this state \$200 million—half a year's returns from poker machines. The government needed the poker machines to buy its way out of another financial disaster. The solution is easy. It should manage the state properly. If it did, it would not need to rip people off.

**Mr DEPUTY SPEAKER:** Order! Can I suggest to the member who took the point of order about relevance that there are aspects of the motion moved by the Deputy Premier that talk about where we would find the money. There is that aspect in this debate. Therefore, I cannot agree with the member that the member for Callide was not being relevant.

**Mr SEENEY:** Mr Deputy Speaker, I rise to a point of order. I make the point that I believe that the member took a deliberate point of order to deny me the five minutes I had to contribute to the debate. Could I ask that when points of order like that are taken the clock is stopped to prevent those sorts of frivolous points of order.

**Mr Terry Sullivan** interjected.

**Mr DEPUTY SPEAKER:** Order! The Government Whip surely does not want me to lose my good sense of humour, because it is my birthday today. Can I suggest that we cool down. Unfortunately, that is not allowed under the standing orders and I am not able to change the standing orders. I think there is some semblance of justice in that suggestion. In politics when somebody says it is not fair they have to be careful because that is politics.

**Mr LAWLOR** (Southport—ALP) (5.12 pm): I am pleased to participate in the debate on the motion moved by the Deputy Premier. I represent an electorate that has two of the biggest clubs in the state—the Southport Sharks and the Southport Workers Club, both of which I am a patron of. I am also patron of the Tigers Rugby League Club. There are at least eight clubs and seven hotels in the Southport electorate which have poker machines. These clubs and hotels employ hundreds of people and provide excellent facilities for their members and patrons. Southport Sharks, for instance, has over 50,000 members.

Each city and town in the state would be similar. These people want to destroy the club and pub industry in this state. I was amazed to read in the *Courier-Mail* and *Sunday Mail* of the coalition's proposal to reduce poker machines by 20 per cent. Interestingly, both articles only quoted the Leader of the Opposition, Lawrence Springborg, and only once are the Liberals mentioned in both of those articles. They obviously support the proposal, as evidenced by the Leader of the Liberal Party's contribution to this debate tonight.

Those opposite try to pass themselves off as the defenders of small business. What about the businesspeople who purchased hotels? The coalition would destroy them with the stroke of a pen. The coalition undertook to release a discussion paper in February on their proposal to reduce poker machines by 4,000. They did not say which year. Obviously it is not 2006. It is interesting to note the third dot point in the proposed amendment which states—

The Queensland coalition has kindly agreed to hold release of its policy on poker machines.

Agreed with whom? Agreed amongst themselves, obviously. This is obviously policy on the run by the coalition. That is typical. Those opposite have not discussed the implications of this crazy and irresponsible policy with the Licensed Clubs Association or the Queensland Hotels Association. They will be hearing about it from me. I can guarantee members of that. I will be sending letters about this to all of the clubs and pubs and members of those organisations in my electorate.

Those opposite would love to turn the clock back to the days when Queenslanders from as far away as Toowoomba, Maryborough and similar places had to travel by bus to Tweed Heads to play the poker machines. They did not trust Queenslanders with poker machines, and even in their own state. What a patronising, condescending attitude. At that time the coalition received tens of thousands of dollars in donations from the New South Wales club industry to keep the poker machines out of Queensland.

Let us look at the hypocrisy of the coalition. Mr Springborg described the proliferation of poker machines as Labor's own gambling addiction. I will give a bit of history. When the machines were introduced it favoured the clubs because they could have up to 250 machines and pubs could have only 10 and then later 20. Treasurer De Lacy in 1995 called for a review. In 1996 the coalition carried this proposal through and developed its white paper—the white paper that we are being promised now. The coalition's changes in 1996 shifted the pendulum clearly to the pubs. The coalition freed up the pubs, dropped the tax rate from 66.6 per cent to 45 per cent, allowed machine numbers in the pubs to rise from 20 to 40 per pub and uncapped the total machines statewide. Hence the free-for-all. That was all the coalition's work.

Terry Mackenroth then responsibly introduced a cap. As the Deputy Premier said earlier, from 1996 to 2000 under the legislative regime of the coalition there was a 186 per cent increase in gambling machines in hotels. Contrast that to 2001 to 2005, when the number of machines rose by only 14.7 per cent. The Beattie government's approach to gambling is about responsible gambling and ensures there is a responsible balance—a balance between the social effects and the economic effects.

One of the ways we ensure on balance that the community benefits from gambling in Queensland is through redistributing gambling taxes through community grant programs. In December the Gambling Community Benefit Fund distributed over \$8.9 million to 568 community organisations across Queensland. In the electorate of Southport there have been 170 grants totalling \$2.43 million since 2001.

During this period the Jupiters Casino Community Benefit Fund also distributed over \$1 million to 46 community organisations in south-east Queensland. That was in the December quarter. I heard only today that the Schizophrenia Fellowship in Southport received \$75,000. Grant programs are a vital source of revenue for our hardworking volunteers and help deliver important services to their communities. This year we will be distributing an estimated \$38.6 million in grants from the community benefit funds to groups across Queensland.

In addition, we will also allocate a further \$1.2 million from the Golden Casket Foundation to support Queensland medical research. We are serious about responsible gambling and have implemented strategies to minimise potential harm associated with gambling.

Time expired.

**Dr FLEGG** (Moggill—Lib) (5.17 pm): I am pleased to oppose the government's motion and support the Leader of the Opposition's amendment. There is something unreal about this whole debate. All of those opposite are talking about this money like it comes out of thin air. We are talking about millions of dollars that are lost by Queensland families through gambling.

**Mr Cummins:** Single people gamble, too.

**Dr FLEGG:** You can have a single-person family, Minister. When we talk about policies in relation to poker machines let us not forget what the policy of those opposite is. Their policy was, 'The health system is struggling, so let us put in more poker machines to make people lose more money gambling and then we will have more money to throw at the health system.' This is distorted thinking. It is thinking that seems to be based on the idea that this money does not come from somewhere else. This money comes out of the budgets of the people in this state who lose money gambling. It comes out of the money that they would otherwise spend on entertainment. Unfortunately, it sometimes comes out of the money they should be spending on rent or food or clothing.

We know that the burden of gambling falls disproportionately on a small section of the community. When the burden is increased, that disproportion on that small section of the community is increased. The people who are most heavily affected by losing money gambling are in the low socioeconomic groups—the very groups that those opposite purport to represent. Those people who have problems with substance abuse or have mental health problems also have difficulty dealing with gambling.

It is extraordinary to hear the government saying that if there were less poker machines we would be taking money out of our communities. What a load of hogwash. The money that people lose gambling is coming out of communities. There was an amazing statement by the member for Southport that he would be particularly badly hit because he has eight big pubs and clubs. That means that the people in his electorate are the ones losing money gambling. That money is going into state government coffers. It is not money being lost by the constituents of Moggill; it is money being taken from families in Southport and going to the government. Only a tiny proportion of that money goes back to the community through community benefit funds and the like. We have seen an extraordinary increase in the amount of money the government rips out of the community—disproportionately out of low socioeconomic groups, disproportionately out of people with mental health problems or substance abuse problems.

The motion that we are debating has been brought on by the government as a stunt in its political campaign and, as usual, it cannot help itself because it cannot even get the motion right. There is no policy document advocating the sort of cuts to poker machines that are dealt with in this motion. In fact, I am not sure why those opposite are so frightened by the fact that we are encouraging community

debate. Or perhaps I do understand what they are frightened of. If the community looks at the costs and benefits of the imposition of more and more gambling, if we do encourage a debate as to whether this community would be better off not hitting its low socioeconomic groups, not hitting its mental health patients and its substance abuse patients, then the government is going to be seen for what it is. It is understandable that it does not want a discussion paper, it does not want a community debate.

I heard the amazing contribution from the member for Thuringowa who said that we are about cutting services in regional areas. He wants the constituents in Thuringowa to lose more of their money and to have it come out of the rest of the community. He wants it to not be spent on local entertainment, to not be spent in local restaurants, to not be spent on rent, to not be spent on improving one's home, but to have it go into state government coffers.

**Mr REEVES** (Mansfield—ALP) (5.22 pm): Clubs and hotels are very much part of the social fabric of our local communities in the suburbs and in the regional towns, but in particular in our rural towns. I am sick of listening to some people, groups and sections of the media and now those opposite who want to tag all people who use these clubs and hotels as gambling addicts, that they all have a problem and it is all the fault of these establishments and the government. This is simply not correct. The member for Moggill stated that they should be spending money on entertainment. I am sorry to tell him that when people go to clubs and hotels it is entertainment. If he does not like to go to clubs and hotels that is his choice, but the overall majority of people go to clubs and hotels to have a good time.

The fact is that only an extremely small minority of people attending these clubs have a gambling problem. We have the best programs and support networks available in Australia to assist these people, and so we should. The overwhelming majority of people attending clubs and hotels throughout Queensland do so for entertainment and social interaction, which is similar to going to the movies or having a coffee at the shops. The mums, dads, grandmas, grandpas and single people who attend these clubs and pubs are partaking in a favourite Aussie pastime of having a punt. They all know that most of the funds that they are spending will go back into the community for everybody's benefit. The mob opposite are a bunch of hypocrites. One minute they are talking about expanding country racing and the next minute they are saying we should be stopping the pubs and clubs of Queensland. It does not make sense.

Those opposite, and in particular the media, have to stop condemning this section of our community. Not only are pubs and clubs offering a great place where people can be entertained safely, have a feed, enjoy social interaction and support the local community, but also they are a huge employer and the amount of money they have injected into the economy is staggering. For example, in my electorate the Southside Sports and Community Club has distributed \$1.4 million to the community since it opened in September 1997. It employs 95 staff, most of whom are full-time and permanent part-time, with an annual payroll of \$2.65 million. It has spent \$6 million in redeveloping the property and has a membership of 22,000 people. It has financially supported the Mount Gravatt Bowls Club and it sponsors Hockey Queensland. The club is owned by the community for the benefit of the community. The following are the community stakeholders and the primary beneficiaries: Clairvaux Mackillop College—students from that college were here today, Mansfield State School P&C, Mansfield State High School P&C, YMCA Youth Services, Queensland Blind Association, St Joseph's on Gregory Terrace, Eastern Suburbs Soccer Club, Brothers Rugby Union, Western Suburbs Rugby League and Sunnybank senior and junior Rugby. On top of this, it has assisted many other local groups on top of the money that comes from the Gambling Community Benefit Fund.

The question that the community will be asking is: why are those opposite attacking the clubs and the hotel industry? Why tag all the people who attend these establishments, as the member for Moggill just did, as people who cannot handle their money? That is a disgrace. The opposition should be ashamed of itself. How dare it, for what it believes is a vote winner, stereotype all these people who use the clubs—the mums and dads, the grandparents and the single people. It is shameful. I know plenty of people who attend these clubs and pubs in the electorate of Mansfield who will find this highly offensive. The other question that will be asked is: where will the money come from if machines are reduced? Quite simply it will come from either cutting services or increasing taxation.

On Friday I attended the Confraternity of Brothers clubs meeting which is made up of clubs throughout the length and breadth of Queensland. I went to Brothers Ipswich. People there were extremely concerned about what the coalition has planned. Many of them have clubs in members' own electorates. Those opposite are a bunch of hypocrites.

**Opposition members** interjected.

**Mr REEVES:** I withdraw. I must correct the member for Southport. The former member for Moggill, David Watson, actually allowed for 45 poker machines in every hotel and it was the Labor government that reduced it to 40. We reduced the limit. Those opposite, who wanted it at 45, the so-called Liberals, the free enterprise political party, are now saying, 'Let us take business away from private enterprise such as the hotel.'

The hotel industry does an amazing job and is an important part of our social fabric. The clubs of today started in the pubs of yesterday. Obviously the opposition is no longer taking policy from the *Courier-Mail*; they want it from us.

**Miss ELISA ROBERTS** (Gympie—Ind) (5.28 pm): I rise today to speak in support of the Deputy Premier's motion and to seek answers from the coalition on its policy to reduce the number of poker machines in this state by 20 per cent. Whilst I support the intention of the policy, and I believe it was made in good faith, I do not think that a reduction in poker machine numbers will make much of a difference to the numbers of people who suffer from a gambling addiction.

If the coalition was truly serious about people's gambling addictions it would ban all poker machines. The reality is that if a person is addicted to gambling and some machines are taken out of their local pub or club they will just travel further to another gambling facility. Gambling addiction is not about the actual poker machine. Addiction goes much deeper than that. I feel that treatment of the addictive personality should be more of a priority for policy makers. An alcoholic is still an alcoholic if alcohol is taken away from him; a person who is addicted to poker machines is still addicted to the high of the win with or without a poker machine.

Even though poker machines have been described as the crack cocaine of gambling, it is not the machine that an addicted person is attracted to; rather, it is the feeling of winning. In a way, it is like a drug addict who is continually seeking the initial high of that first hit. A gambler is addicted to the action of gambling and it is a pathological illness which requires a physician's treatment, group therapy, medication and psychological help. More often than not, they also require financial advisers to help them out of financial problems which result from an extreme addiction to gambling. This is where funding should be placed if the coalition really wants to reduce the number of addicts. Reducing the number of machines available alone will not solve people's addiction issues.

In this speech I am not trying to deny the dreadful ramifications which can result from a gambling addiction. I appreciate that gamblers have a higher suicide rate than people addicted to alcohol or drugs. However, I see this as a half-hearted attempt at stopping the real problem of the gambling personality. We can take the machine away from the addict, but without treatment we cannot take the addiction out of the addict. Without a doubt, more government funding needs to be put into the treatment of the addictive personality. Due to the fact that an addicted gambler is usually more difficult to spot than a person addicted to drugs, the problem of addiction is not obvious and remains undiagnosed for a lot longer and often not until there is a full-blown addiction.

**Mr DEPUTY SPEAKER** (Mr Fouras): Order! I am sorry, but the question has to be put at the end of one hour. The member has actually had one minute more than she should have. I am sorry; she was not allowed five minutes.

**Miss ELISA ROBERTS:** That is because of all of these points of order and rubbish. No!

**Mr DEPUTY SPEAKER:** I suggest the member takes her seat and I will put the question. I am sorry, but I have no choice. That was the motion of the House today that the question must be put at this stage.

**Miss ELISA ROBERTS:** Can I seek leave to incorporate the rest of my speech into *Hansard*?

**Mr DEPUTY SPEAKER:** I suggest that, subject to consent from the Speaker, we will incorporate it in *Hansard*. It has to be checked. Let us take the easy way out.

Leave granted.

This may be why less funding is provided to this problem than that of substance abuse.

An additional concern I do have regarding the reduction in poker machines is the subsequent loss in funding provided by the Gambling Community Benefit Fund to communities and community organisations. Between the months of 1 September and 14 December 2005, my electorate received \$151,808 from the gambling fund. This is money that is required to keep local not for profit community groups and organisations open and viable.

I would like to know how the Coalition plans to make up for the loss in revenue that their policy will result in.

I believe it would be more beneficial for the Coalition, should they ever be in Government, to promise to increase support to people who are addicted to gambling.

We don't make alcohol illegal, or reduce the number of pubs or bottle shops to assist alcoholics, so why should we reduce poker machines when there is at least some benefit which comes from the poker machines in this state.

This plan is just a token gesture and should be further investigated by the Coalition. I find it hypocritical that the Coalition jumps up and down about keeping the racing industry alive and well; and then turns around and says they are going to take 20% of poker machines away. They obviously do not understand addiction and that it is not about the form of the bet. Gambling is gambling, Mr Speaker. A bet is a bet. It's like a drug addict, they don't care what drug it is they'll say yes to them all. The hypocrisy of the Opposition is staggering.

Not all people who play the pokies are addicted, but for those who are, there needs to be support available in terms of outreach programmes, so that they may deal with their addiction.

There are so many forms of gambling ie TAB, and lotteries, and even if these were taken away, the addicted gambler will bet on two cockroaches running up a wall.

I speak about this issue with quite some insight as my grandfather was a compulsive gambler, who made my mother and grandmother's lives a misery due to his addiction. This man had a serious addiction and that was to the rush and his lifelong search to repeat the few lucky wins he had in order to once again feel the thrill of the win. He would gamble on anything, from the horses to two-up. He needed help, not the removal of a few poker machines.

I would gladly support the Coalition if they were serious about gambling, and agreed to open general treatment facilities around the state to deal with the addicted person. Whether it be for drugs, alcohol or gambling, this is what is needed and I would be very proud of and would openly support a Government who would endeavour to undertake such a challenge.

Finally, if as the member for Robina said, the issue is the topic of a discussion paper, I look forward to seeing it and disseminating amongst my constituents, for comment.

Question—That Mr Springborg's amendment be agreed to—put; and the House divided—

**AYES, 24**—Caltabiano, Copeland, Flegg, Foley, Hobbs, Horan, Johnson, Knuth, Langbroek, Lee Long, Lingard, Malone, McArdle, Menkens, Messenger, Quinn, Rickuss, Rowell, Seeney, Simpson, Springborg, Stuckey. Tellers: Hopper, Rogers

**NOES, 52**—Attwood, Barton, Beattie, Bligh, Boyle, Briskey, Choi, E Clark, L Clark, Croft, Cummins, English, Fenlon, Finn, Fouras, Fraser, Hayward, Hoolihan, Jarratt, Keech, Lavarch, Lawlor, Lee, Livingstone, Lucas, Male, McNamara, Mickel, Miller, Mulherin, Nuttall, O'Brien, Palaszczuk, Pearce, Pitt, Purcell, Reilly, Reynolds, E Roberts, N Roberts, Robertson, Schwarten, Shine, Smith, Spence, C Sullivan, Wallace, Welford, Wells, Wilson. Tellers: T Sullivan, Reeves

Resolved in the **negative**.

**Mr SPEAKER:** Order! Any future divisions will be of two minutes duration.

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

**AYES, 52**—Attwood, Barton, Beattie, Bligh, Boyle, Briskey, Choi, E Clark, L Clark, Croft, Cummins, English, Fenlon, Finn, Fouras, Fraser, Hayward, Hoolihan, Jarratt, Keech, Lavarch, Lawlor, Lee, Livingstone, Lucas, Male, McNamara, Mickel, Miller, Mulherin, Nuttall, O'Brien, Palaszczuk, Pearce, Pitt, Purcell, Reilly, Reynolds, E Roberts, N Roberts, Robertson, Schwarten, Shine, Smith, Spence, C Sullivan, Wallace, Welford, Wells, Wilson. Tellers: T Sullivan, Reeves

**NOES, 24**—Caltabiano, Copeland, Flegg, Foley, Hobbs, Horan, Johnson, Knuth, Langbroek, Lee Long, Lingard, Malone, McArdle, Menkens, Messenger, Quinn, Rickuss, Rowell, Seeney, Simpson, Springborg, Stuckey. Tellers: Hopper, Rogers

Resolved in the **affirmative**.

## CONTAINER DEPOSIT LEGISLATION

**Mr CHRIS FOLEY** (Maryborough—Ind) (5.41 pm): I move—

That this House supports the investigation of container deposit legislation in Queensland.

When I was growing up, every kid in Queensland used to be an avid collector of bottles to get refunds. I dare say that a number of members—

**Mr Terry Sullivan:** Yes, I did it all the time.

**Mr CHRIS FOLEY:**—including the Government Whip, probably bought their first VWs with money that they saved from cashing in drink bottles. Certainly South Australians will attest to the stunning amount of money that can be raised. Down there every kid collects bottles. Even people who are disadvantaged and do not have many skills can pick up containers. It makes for a much greener and cleaner environment and it results in an incredibly high percentage of recycling. The only disadvantage is to the packaging industry, where a little more work may have to be done. However, clearly the environmental benefits make container deposits well and truly worth it.

Recently Ian Kiernan, the founder of Clean Up Australia, was in Maryborough. Today the first two pages of the *Heritage Herald* featured articles about Maryborough's incredible community support for cleaning up. For example, a friend of mine, Mike Carl, is part of a group that drives around in four-wheel drives and cleans up all sorts of old car bodies, engines and bits and pieces that have been dumped. In this day and age, it is amazing that people will still dump stuff in the bush. I spoke to Ian Kiernan, who was an around-the-world sailor. He said that he was staggered at the amount of containers and other rubbish floating around the oceans of the world.

Currently South Australia is the only state in Australia to have legislation covering the payment of a refundable deposit upon the return of an empty container by the consumer. The legislation was initially known as the Beverage Container Act 1977, but in 1993 the act was repealed and its relevant provisions transferred to the Environmental Protection Act 1993. Between 1977 and 2003, this legislation only provided for a mandatory deposit on glass containers for beverages such as soft drink and beer. However, since 1 January 2003, the scope of the legislation has been widened to include containers of less than one litre holding flavoured milk and fruit juices, and all containers of three litres or less holding non-carbonated soft drinks.

One of the advantages of that legislation is that it refers to small containers. It targets people who buy a quick drink and are tempted to toss the bottle onto the footpath. I grew up in the Grange and Kallangur and I remember seeing something that really cemented my attitude to the subject of litter. I saw an old GT Cortina driving up Anzac Avenue. The driver rolled down his window and simply threw out a coke can. That picture has stayed in my mind because I thought it was such a shocking thing to do.

**Mr Lawlor** interjected.

**Mr CHRIS FOLEY:** I take that interjection from the member for Southport, who is an avid member of the GT Cortina Club of Australia.

**Mr Cummins** interjected.

**Mr CHRIS FOLEY:** Yes, he is the president. If someone buys a container holding more than three litres of liquid, usually it will end up in their recycling bin. However, the problem with small containers is that they are bought and often thrown away almost immediately.

I had a very interesting and long conversation with John Phillips OAM, the Executive Director of KESAB Environmental Solutions in South Australia. When I suggested that having refunds on containers probably stops people from throwing things into the bush and onto the sides of the road, he said that South Australia is one of the cleanest states in Australia. Every time someone throws away a can or bottle, some kid grabs it and—

**Mr Lawlor** interjected.

**Mr CHRIS FOLEY:** Yes, kids come from everywhere, that is correct. They pounce on it. This has a major benefit in that a great amount of rubbish is recycled. Of equal importance is the fact that those activities fund tremendous community organisations such as the Scouts. It provides the opportunity for lots of clubs and organisations to meaningfully raise funds. Not for a moment am I saying that the Queensland legislation should exactly mirror the South Australian legislation. However, they have road-tested the legislation and there is some merit in not reinventing the wheel.

**Mr Lawlor:** They are a Labor government.

**Mr CHRIS FOLEY:** That is true. In general, local government is very supportive of container deposit legislation because it helps tidy up towns and it gives fundraising capacity to charities.

The mechanics are very simple. Five cents is added to the wholesale price. Let us say that the bottler retains that 5c in a fund and it is then claimed back by the collection depots. In South Australia there is also a negotiated handling charge from the collection deposit depots. Therefore, no-one loses out. The 5c is simply added to the wholesale price, claimed back from the depot and paid to the kids and organisations who collect the containers. The depots negotiate a handling charge. From an environmental perspective, the most important thing that I want to stress is that this system means that almost all the rubbish is brought in and can be recycled. Even when containers are thrown away, the kids grab them and cash them in anyway. However, we are not just talking about bottles. The collection centres also recycle batteries, cardboard products, PET plastics et cetera.

So all it does is extend the responsibility of the providers to make sure that there is a mechanism in place to collect the containers, and in collecting them there is revenue to be raised. So it is a win for the environment and it is also a win for many groups who do not have the capacity to raise money for themselves. One of the great myths—and this is put out by the Packaging Council—is that this will make drinks dearer at the retail end. According to the gentleman I spoke about from KESAB, this was an absolute myth—a load of rubbish. He said that the products are priced exactly the same in South Australia as they are anywhere else.

South Australia has the highest return rates of beverage containers in Australia—85 per cent of all aluminium containers are recycled; PET, 72 per cent; glass, 82 per cent; and LPB, 38 per cent. Recycling depots not only process products embraced by container deposit legislation but also process tens of thousands of tonnes of paper, cardboard, plastic, glass, metals and items such as car batteries. Some have recently extended to e-waste. Recycling depots provide employment opportunities in South Australia alone for around 1,400 workers. Many of them are young, unskilled early school leavers or people who are otherwise socially disadvantaged.

Following extension of container deposit regulations in January 2003, a further downward trend in both the number and proportion of litter embraced by the container deposit legislation is evident. It has gone down from 5.4 per cent to 2.6 per cent. So no wonder it is a very clean state. Beverage containers in the South Australian litter stream are between 50 per cent and 70 per cent fewer than the same type of litter in other states and territories. That is just amazing—50 per cent to 70 per cent fewer incidents of litter in that state. So do not tell me that that is not good for the environment.

Recycling has been a part of the South Australian community for 100 years. The voluntary resource recovery provides income for thrifty people, people who are out of work and socially disadvantaged. We have talked about the types of recycling at some length today. Scouts collect bottles. There are 108 members of Recyclers of South Australia who are located throughout the state. The Scouts purchased the first recycling centre 28 years ago, and that has underpinned their wages. They employ about 90 people, permanent and casual, and it significantly underpins the financial benefits. I am very enthusiastic about container deposit legislation for its environmental benefits and for its social benefits in terms of providing income streams to disadvantaged people.

Time expired.

**Mrs LIZ CUNNINGHAM** (Gladstone—Ind) (5.53 pm): I rise to second the motion, and I support it 100 per cent in principle. I was encouraged by the response when the member for Maryborough introduced this motion. Many in this House would remember when they were able to take bottles back to the shop, get their refund and, no doubt, buy very healthy things like apples and oranges. That was not for me; I bought lollies.

**Mr Wilson** interjected.

**Mrs LIZ CUNNINGHAM:** I am sure he was not one of them. I notice that during that time there was not a lot of rubbish on the side of the roads. People were really quick off the mark to pick up the bottles. They were predominantly milk bottles and soft drink bottles. We did not have the luxury of aluminium cans. And we did not need lanterns on sticks to find them either, so it was not that far back. It is a very effective rubbish reduction strategy. Adults also kept their beer bottles and the like in the same way that a lot of people today collect aluminium cans, sell them back to the recycler and use the money for a predetermined purpose. The same can be said for adults who want to engage in the collection of refundable containers.

The statistics in South Australia reflect the success of this initiative. The estimated recycling depot volumes in 2003 were: glass, on which a deposit was paid, 20 million dozen per annum; aluminium cans, on which a deposit was paid, 22 million dozen per annum; PET bottles, on which a deposit was paid, 12 million dozen per annum; LPB, on which a deposit was paid, 2.5 million dozen per annum; and, in contrast, mixed glass, on which no deposit was paid, 45,000 tonnes per annum. I believe it is a real incentive for people to not just throw their containers out the window. All of us would have areas in their electorates where rubbish builds up. I have one on the way home to my place. It is on a highway corner. You do not see the rubbish that builds up there so much until the fires go through and then the sun glints on all the glass bottles and cans. It must just be the right distance from the crossroads garage—they finish their drinks and then turf the bottles and cans out the window.

Some practical measures would need to be adopted if the same approach were taken now to what occurred some years ago, bearing in mind that 40 years ago it was not as easy for people to get around. The local corner stores had to have space to accommodate the bottles that were returned by customers and then they were subsequently collected by the packaging and drink manufacturers. So there may be some problems in terms of safe places to store the commodity. But with transportation being much more available these days, those sites could be centralised, although I do believe the most efficient way is for the network of places to collect the bottles to be as broad as possible.

I believe that the proposal will teach young people a number of things that we are trying to engender in them today. We are trying to inculcate into children, rightly at schools, the philosophy of recycling, and that is putrescible waste, where it is recycled into composting, and also bottles and cans. A lot of schools have can recycling crates. I think it also teaches them reward for effort. If they do make the effort to collect the bottles and cans, they will have a direct reward for their effort. They can save up to buy an item that they are interested in or, as has been said before, their first VW. It teaches them the value of dollars and the way dollars can accumulate. I cannot see too many downsides. There will be some obligations on the drink manufacturers but not obligations that perhaps should not be there anyway.

I believe that there are a lot of initiatives that perhaps, even though they may have been resisted in the first instance, when given legs may prove to be very positive initiatives for the community. I believe that the container deposit legislation in South Australia has proved itself to be one of those initiatives over a period of time, albeit some pain was endured at the initial setting up of the strategy. I commend the motion to the minister. I hope that she will be able to give positive consideration to such legislation.

**Hon. D BOYLE** (Cairns—ALP) (Minister for Environment, Local Government, Planning and Women) (5.58 pm): I am pleased to rise and support the motion before the House tonight. Container deposit legislation would mandate a refundable deposit on drink containers to encourage their return for reuse or recycling. Various models of CDL operate in parts of the United States, Canada and South Australia. The schemes have different deposit levels and methods for returning containers to manufacturers. The objectives of these schemes can also differ. In South Australia, for example, the aim is to reduce litter and landfill. South Australia is the only Australian state with a CDL scheme. Under the CDL system the consumer pays an up-front fee at the point of purchase and gets 5c back when the container is returned. The system applies to drink containers purchased and returned in South Australia only. This has proven difficult to enforce, with reports of containers bought outside South Australia brought across the border to get the refund.

CDL also requires a network of depots to collect the returns. The Queensland government is a signatory to the national packaging covenant, which is a voluntary agreement signed by industry and government aimed at reducing the impact of packaging waste on the environment. The Queensland government is contributing \$540,000 per year over five years to the covenant to stimulate recycling and help develop markets for secondary materials. All environment ministers, in endorsing the strengthened covenant in July 2005, requested government officials investigate alternatives to complement the covenant. A midterm review of the covenant is to be conducted in 2008. If this review finds that the covenant has not achieved its objectives, then CDL could be investigated. One consideration would be how CDL affects the cost of products. Soft drinks, juices and flavoured milks could rise in price substantially, hurting those who could least afford it.

CDL has never been introduced in a state that already has a well-established kerbside recycling system. It has the potential to devalue kerbside recycling because high-value materials such as aluminium and PET plastic would be diverted. That could make kerbside collection uneconomic in some local government areas and lead to ratepayers facing some increased charges for this form of recycling.

In previous investigations we have discovered that this could be a real problem. In north Queensland CDL materials make up nearly 60 per cent of the financial value of kerbside recycling. Mackay City Council and Townsville-Thuringowa City Council have doubled their recycling yield in just 12 months after improving their systems. Townsville-Thuringowa were also able to save \$600,000 per year from improved collection and sorting efficiencies and the marketing of materials. These gains, however, may not have been possible if CDL were in place. With this issue, like so many others, we discover when we get into the detail some hidden problems and difficulties that make the container deposit legislation not quite as simple as it sounds.

Of course I subscribe to the principle of it, as do surely very many others. I support the notion that further investigation should take place. In a state the size of Queensland the network of places at which to deposit the containers and collect the return would also be problematic. Nevertheless, maybe those problems can be sorted. As environment ministers have already agreed to the investigation of complementary measures to the covenant, the Queensland government supports the investigation of other measures such as CDL, but we do put on record that we have some concerns about its effectiveness.

**Mrs CARRYN SULLIVAN** (Pumicestone— ALP) (6.03 pm): I am certainly not diametrically opposed to the motion of the member for Maryborough this evening. In fact, I have been instrumental in a number of initiatives controlling litter in the electorate of Pumicestone. When I was a councillor some years ago I supported the introduction of a recycle bin as part of the garbage collection, and that has worked very well. After the introduction of recycle bins, the council then increased the size of the bin and this gave the people of the Caboolture shire an opportunity to recycle quite a bit more glass and metal. It has been very effective.

I have made it quite clear that I believe tip fees should be reduced because of the amount of rubbish that is dumped in our national and environment parks. We recently encountered 47 tyres in the first 50 metres of a national park, which is quite disgraceful. We only have to talk to the people who participated in the Clean Up Australia campaign on the weekend to see just how much rubbish they collected.

**A government member** interjected.

**Mrs CARRYN SULLIVAN:** It is quite outrageous, as the member for Glass House has just said. I would like to take this opportunity to thank all the people who participated in that campaign because it was a credit to them. I helped the Bribie Island Australian Air League clean up Pirate Park. They did a great job.

**Mr Lee:** I heard some good things about that clean-up.

**Mrs CARRYN SULLIVAN:** It was a great clean-up. They did most of the work; I only came in at the end. So I congratulate the youngsters for their effort.

I support any initiative that helps with removing litter from the environment. I commend South Australia for its container deposit legislation. It has been reasonably successfully implemented. However, the downside is that it does not address those items that are not currently recycled, such as cigarettes and cigarette packaging, because its entire focus is solely and wholly on beverage containers. We need practical and widespread legislation that covers this issue.

Queensland is such a decentralised state that putting storage facilities all over the state would be much more difficult than in a smaller state such as South Australia. However, I do not believe that any of these issues is insurmountable, and I would be very keen to pursue all avenues to better protect the environment.

**Mrs PRATT** (Nanango—Ind) (6.05 pm): Most members in this House would have seen or heard of the movie *Back to the Future*. Tonight, when talking about the motion moved by the member for Maryborough, we are talking about going back for our future, the future of our environment. The thought of container deposit legislation takes me back to my childhood in New South Wales. I know my mother would be terribly ashamed to think that her children—my brothers and I—would go along the roads and clean up all the bottles. We would go through bins and fight over them, as other kids did. At sporting events we would race around and grab any bottle that fell out of anybody's hands in a second flat.

**Ms Male** interjected.

**Mrs PRATT:** If we could, we would even take it out of their hand before it hit the ground. It is how we made our pocket money, and we had a great time. Although we really did have a totally mercenary view of picking up these discarded bottles, the benefit to the environment was real. There was a huge reduction in waste matter left to be buried or later dug up and revealed at a later time, but we also reduced the visual pollution no end.

The introduction of a deposit on beverage containers will bring hundreds of jobs on reprocessing and collection of infrastructure. These are not my words; they are the words spoken by the Western Australian environment minister, Dr Judy Edwards, in November last year. She went on to say—

By itself, kerbside recycling could not cater for regional areas and did not pick up the increasing amount of packaging waste generated away from home. One excellent feature of the container deposits system is that deposits collected by local councils can provide a significant revenue stream to support kerbside recycling.



Western Australia is seriously looking at bringing in this legislation for the benefit of their community. There are negatives to it but there are also an awful lot of benefits. I believe most people are very much aware at the moment of the need to preserve our environment. To those people who say that it will be dearer, because we will have to pay an extra 5c, the truth is that it will be paid up-front but the net price is exactly the same. People will get their bottle money back. It is as simple as that. Anyone who values their pennies can take their bottles back and get reimbursed.

There are a lot of myths out there, mostly put forward by the Beverage Industry Environment Council. It does not favour container deposit legislation because it believes it undermines recycling programs, but the fact is that the opposite is true. CDL would improve the economic viability of currently unsustainable recycling programs by reducing the enormous subsidy, which is between \$70 million and \$100 million per year, paid by councils and ratepayers across Australia to maintain uneconomic recycling programs. The reduction of litter in South Australia is dramatic. South Australia is the least littered state in Australia, and if members drive through it they will notice it for themselves. It is often a fact commented upon by interstate and overseas visitors. CDL sends a clear message to consumers that they are responsible for ensuring that the container they purchased is returned or they forfeit their deposit. That cannot be a bad thing.

Another myth that has been perpetrated is that CDL addresses only 10 per cent of litter items, leaving 90 per cent of litter unaffected. In truth, beverage containers dominate litter because they are larger, more visible and longer lasting than any other item. Container deposits result in a dramatic reduction in litter. Based on the US experience, we could experience a reduction of beverage container litter by 70 per cent to 90 per cent and a reduction of in total litter of 50 per cent. These are worthy goals.

Many surveys have been undertaken over the years. In all of these, close to 80 per cent of respondents have stated that they support container deposit legislation and would like to see it extended to include many other products. In truth, if we start to behave responsibly, if we know that we have to pay a little extra, we will ensure that we get that little bit extra back by returning containers. Also, it could give our kids a very good idea of what it is like to go out and earn a few dollars by cleaning up the environment.

South Australia has the highest return rate for beverage containers in Australia. For aluminium, the return rate is 85 per cent.

Time expired.

**Mr LEE** (Indooroopilly—ALP) (6.10 pm): I have a real passion for looking after our environment and I feel that humans have done some terrible things to the earth. Even today, we are still clearing trees, mining uranium and devastating rivers, and we do it with what could fairly be called reckless abandon. I came into this place, in large part, to more effectively protect our state's natural assets. I am thrilled that this issue has been raised in the House today. I support recycling and I support container deposit legislation.

A wonderful gentleman from South Australia, Kym Mayes, is known to myself and the member for Mount Coot-tha. He is a lifelong Labor man and he now lives in Queensland. He is the fellow who introduced the original container deposit legislation into the South Australian parliament. When one speaks to him—and he would be happy to speak with any member of this House—about these issues, he speaks passionately about what a great thing it was for South Australia.

These are wonderful proposals. However, while I support recycling, it is not necessarily the only solution. Wherever I go, I look for ways to promote recycling. I pay a recycler to come to my electorate office and collect the large quantity of paper that we generate and which comes in through the mail. We pay to have that done. It is worth noting that some of the paper we use in electorate offices and which is commonly used in offices is not sourced from sustainable places. It is not grown in a sustainable way.

I want to talk about the recycling of cans and bottles. I want members to think about the last time they purchased a can or a bottle. Today I bought a bottle of Mount Franklin water from the parliamentary canteen. I am delighted to recycle and, when I can, I pop the containers into my car and take them home. The impediment to me is not the lack of a 5c incentive. That is not an impediment to me recycling after I have purchased a bottle of Mount Franklin water, and I do not believe it is an impediment to any member of this parliament after they purchase a can of diet coke—because I know that members are all very health conscious. The impediment is actually having a place to recycle the item.

Today I call for Queensland to mandate that every place with a vending machine that sells water bottles or cans of soft drink ought to have attached to the machine a means by which the item can be recycled. It is done in other parts of the world. When you see a Coca-Cola vending machine, you see a recycling bin that the Coca-Cola producers are required to place next to it. The reason most people who purchase items in disposable containers do not recycle them has nothing to do with a lack of container deposit legislation in Queensland; it is a practical matter. There is simply no place for them to recycle the item.

Tonight I call on this parliament to mandate that wherever a vending machine selling disposable items like coke cans or water bottles is located, there ought to be attached to it a means by which they can be recycled. I am thrilled that this issue has been raised in the House tonight.

**Mr WELLINGTON** (Nicklin—Ind) (6.13 pm): It is a privilege to speak in support of the important motion moved by my Independent colleague the member for Maryborough at this important section of our business agenda today. It is great to hear the minister and government members, speaker after speaker, supporting this motion. Quite frankly, tonight we are seeing a real example of the important role that Independent members can play in parliament. We are able to bring matters before the parliament and to prompt members, prompt the government, prompt backbenchers and prompt the opposition to consider them, and to advise Queenslanders of their views and the time frame in which they propose to pursue the issues we have raised. Therefore, I congratulate the member for Maryborough and my Independent colleagues. This is important and this is relevant.

It is also timely. We have just seen thousands and thousands of Australians out and about on Clean Up Australia Day, volunteering their time to help clean up Australia. Now we are here in the Queensland parliament debating a proposal that calls on the government and on all members to support and follow the lead of South Australia, New South Wales and West Australia in introducing our own container deposit legislation.

It is time that we took stock of this important issue. No longer should we sit back and simply rely on the efforts of hundreds of thousands of volunteers in Queensland who give up their time to go out and clean. Government members, opposition members and crossbenchers have an important role to play in prompting the government to bring forward its agenda and to bring this legislation into parliament. Then we will have laws in Queensland that could be very similar to the laws that currently operate, and have been operating for almost 30 years, in South Australia.

It is high time that the big end of town—the manufacturers that make big, big dollars from the production of containers in Queensland—took responsibility and played a part. They have an important role to play in sharing the responsibility of keeping our great state of Queensland a clean state. If it is good enough for South Australia, if it is good enough for New South Wales and if it is good enough for the Commonwealth parliamentary commission to undertake an inquiry, then it is high time that Queensland got on the bandwagon and actually took some action to implement new legislation in Queensland.

I have looked at the submission of the Packaging Council of Australia to the federal Productivity Commission inquiry on waste generation and resource efficiency. Its submission is dated February 2006. I table it for the benefit of all members. Page 35 of that submission, under the heading 'Litter and Container Deposit Legislation', acknowledges that, 'Litter is a serious problem in Australia. It is a social problem.'

I challenge the manufacturers of containers to take action, take responsibility and put some money on the table. It is also timely that we are almost two months away from this parliament bringing down the next state budget. I challenge the minister, the Premier and the cabinet committee to consider allocating money in that budget to challenge our councils, our community and the Packaging Council of Australia to do more.

We all have a role to play. Tonight is an opportunity for all members of parliament—the government, the opposition and crossbenchers—to stand shoulder to shoulder with the member for Maryborough and show that we are genuine and passionate and that we believe this is an important issue. It comes in the lead-up to a by-election that is not too far away. Perhaps this time next year we will all be going to the polls.

It is timely that we are now talking about what I believe is an important issue. It is important because no longer should we, as elected members of the 51st Parliament, be seen as taking advantage and assuming that every year thousands of volunteers will turn out to be involved in helping clean up Australia. We can play an important part as members of this parliament by introducing the relevant legislation.

I urge the minister to fast-track the investigation. Let us not be tardy. Let us be smart Queenslanders and follow the lead of South Australia, New South Wales and Western Australia. We should look very carefully at the report that the Commonwealth Productivity Commission will hand down in October. That is just a few months away. I urge the minister and her backbench committee to consider making a submission to the commission of inquiry. I also urge the opposition to consider making a submission and my fellow crossbench members to consider making a submission. This is important. If all Queenslanders and Australians show their concern and passion for this important issue, perhaps we might see more action.

I thank the minister for supporting the motion moved by my Independent colleague the member for Maryborough. It is great news. We can show Queenslanders how we can work together, shoulder to shoulder, irrespective of our different views on politics and our agenda for the future. I commend the motion to the House.

Interruption.

## DISTINGUISHED VISITOR

**Mr SPEAKER:** Before I call the member for Ferny Grove, I acknowledge the presence in the public gallery of Madam Liu Fei, the head of the Mission of the Chinese Consulate. Madam Liu Fei has made a tremendous impact since she arrived in Queensland. I am sure that all honourable members will join with me in welcoming her to Parliament House.

**Honourable members:** Hear, hear!

## CONTAINER DEPOSIT LEGISLATION

Resumed.

**Mr WILSON** (Ferny Grove—ALP) (6.19 pm): I am delighted to speak in support of the motion before the House. It must be commented on that all speakers on the government side who have spoken so far and all of the Independents who have spoken so far enthusiastically support this motion. I draw the attention of the House to the state of the House so far as the presence of the Liberal Party and National Party members is concerned. There is not one Liberal Party member and not one National Party member in the House to support the Independents when it comes to this very important policy initiative to help protect the environment. It is extremely disappointing. This is an excellent motion. It picks up a concern that was raised with me by constituents as recently as last Saturday when I conducted my mobile electorate office in Samford Village. A man spoke to me of his concern about the growing level of litter in the countryside and in urban areas, particularly containers. He raised with me what happens in South Australia. This is what this motion picks up on.

Under current legislation in Queensland there is no head of power that mandates recovery rates of the type required by container deposit legislation. However, as the minister has indicated, it is a very worthwhile initiative and proposal. There may be some obstacles in terms of its practical application, but there is genuine interest in having a substantial look at the issue. Before I proceed any further I should also note that the shadow minister for the environment, the member for Burnett, is not in the House. That is very disappointing. I acknowledge that there is enormous unity between the Independents and the government on this very important issue.

**A government member:** He was down to speak.

**Mr WILSON:** Whether he speaks or not is yet to be seen, although time is quickly running out. I will conclude my brief comments with the point that the Environment Protection and Heritage Council, which is a federal-state agency, is the appropriate forum for national consideration of the viability of any approach in this regard. It needs to be national to be effective. That would ensure that Queensland is not disadvantaged by adopting any stand-alone mechanisms. I heartily support the motion.

**Mr FENLON** (Greenslopes—ALP) (6.22 pm): It is a pleasure to rise to speak in support of this motion. I am certainly one who is old enough to remember those days when Queensland had a system of recycling drink containers et cetera. If there is a negative in this debate it would be that the deterioration of my teeth as a young person would have to be put down to soft drinks and lollies that I was able to buy en masse when I went to the football with my dad. I am sure that for many other members they had the same impact.

While CDL has long been part of an ongoing debate on litter control, the level of debate has been raised in recent times. The original aim of CDL in South Australia was to reduce litter. This was a growing problem in the 1970s due in part to the increasing use of non-refillable beverage containers. CDL was introduced in South Australia in 1975 and as such—and we have heard from my good friend the Hon. Kym Mayes—may not reflect contemporary waste management principles. CDL does not address materials that are not currently recycled such as chip packets, cigarette packets and butts and fast-food containers as it focuses solely on beverage containers. The items that CDL does not cover make up the bulk of the litter stream. Given that over 50 per cent of the litter stream is cigarette butts and that beverage containers only constitute 10 per cent of the litter stream CDL as a litter reduction mechanism could not be considered effective.

Public place recycling is a program that provides local government with an integrated recycling system to support kerbside collection. Typically 50 per cent of all packaging is generated in non-domestic situations such as workplaces, parks and gardens, beaches, sporting venues and other public events and places. It is estimated that more than 500 tonnes of discarded packaging is recovered from major events in Queensland every year. The Environmental Protection Agency, under the national packing covenant, has provided 10 councils with public place infrastructure funding of approximately \$200,000. Kerbside collection costs would not be reduced under CDL as the introduction of CDL would not reduce the quantity of paper or other non-CDL materials collected through kerbside recycling programs.

As the previous speaker pointed out, the House at present is bereft of the presence of members of the opposition. There is not a single member of the Liberal Party or the National Party in this House. It is an appalling state of affairs. The things that really do concern our electorates are issues such as this.

**A government member** interjected.

**Mr FENLON:** I take the interjection. This is important legislation. We would expect the opposition to take part in a debate on it. I commend this motion to the House. It is a pleasure to support it. We will look into it. There are many aspects to explore, but we should certainly explore this prospect for Queensland.

Motion agreed to.

Sitting suspended from 6.26 pm to 7.30 pm.

## PROPERTY AGENTS AND MOTOR DEALERS AND OTHER ACTS AMENDMENT BILL

### Second Reading

Resumed from 29 November 2005 (see p. 4394).

**Mrs STUCKEY** (Currumbin—Lib) (7.30 pm): I am pleased to be able to contribute to the debate on the Property Agents and Motor Dealers and Other Acts Amendment Bill 2005 in my capacity as shadow minister for tourism, fair trading and wine industry development. May I state from the outset that the coalition will be supporting the majority of the provisions encapsulated within this bill. However, we do have some reservations and opposition to a couple of the amendments. The primary policy objective of the legislation is to amend the Property Agents and Motor Dealers Act 2000, known as PAMDA, and the Body Corporate and Community Management Act 1997, BCCM, and to make a number of minor and technical amendments to the following acts also administered by the Department of Tourism, Fair Trading and Wine Industry Development: Business Names Act 1962, Collections Act 1966, Introduction Agents Act 2001, Land Sales Act 1984, Partnership Act 1891, Security Providers Act 1993, Second-hand Dealers and Pawnbrokers Act 2003 and Travel Agents Act 1988.

In addition, under clause 87, it introduces transitional provisions relating to the Liquor and Other Acts Amendment Act 2005 to limit the statutory rights of buyers to terminate a contract of sale on the grounds a statutory warning statement was not provided in accordance with the act as a result of using electronic transmission. This limit applies to those buyers who had contracts for the purchase of proposed lots in community titles schemes at the time the amendments came into force on 1 December 2005 and they will have one calendar month from assent of this bill to exercise their rights.

I would like to place on record my appreciation to the minister and to her departmental staff for organising a briefing on this bill. The Office of Fair Trading plays an integral role in the regulating and balancing of guidelines for business and it should offer effective and reasonable protection for consumers whilst providing a level playing field across the areas in which it has power.

Once again we are presented with amendments to a bill that have been a long time in the making. Staggeringly, nearly four years have lapsed since the commencement of consultation for this bill and I note that it is 3½ years since the consultation process actually closed. I wonder whether the minister would be kind enough to inform the House why we are now debating a bill which has been based on consultation and issues that are now three years out of date. It is vitally important when developing bills that we make every effort to ensure relevance and timeliness, but here we go playing catch-up again.

The tardiness we are seeing in reference to the inexcusable length of time it has taken to be debating this bill is yet another example of a government that is not serious about keeping up with the growing needs of Queenslanders, a government that drags its feet when it comes to assisting small businesses that contribute billions to our economy. But then this Labor government does not understand nor care much for the small mum and dad operators. Look at the total disregard for hundreds of inbound tourism operators when it licensed Sunlover. How many will suffer as a consequence? Some 80 Surfers Paradise traders went out of business because this same government sat on its hands for years as rogue tourism operators fleeced innocent tourists with indecent mark-ups at selected stores for standard products. Another trader called me last week to say that he was closing his doors as he could no longer compete with this ongoing practice that this government has failed to stop or indeed prosecute those who continually break the law and seriously damage the reputation of our tourism industry.

Since the assent of PAMDA in November 2000 there have been 19 pieces of amending legislation debated and passed. I will not list them all because I understand that there is quite a large number of them but they are listed for tabling with *Hansard*. There are another two bills on top of those 19 containing amendments currently before the House. Here was a genuine opportunity to deliver more effective and user-friendly legislation, but the government chose not to make the most of it.

Amendments that provide increased protection to Queensland consumers will continue to receive my support, as I have indicated in previous debates. However, when changes are introduced consideration must also be given to the impost placed on business. This bill states its aim is to strengthen consumer protection and modernise licensing practices and to a certain degree, and to the minister's credit, a number of amendments in this bill do just that. Regrettably though, as members on this side of the House will acknowledge, too much of the existing legislation directs, encourages and empowers the state bureaucracy to interfere in the day-to-day operation of those in industry at the most elementary level. Tying up a business in too many regulatory and restrictive practices is not good for our state as it discourages investment. Nor is it smart practice to make forms so difficult to follow that even Office of Fair Trading staff cannot interpret them readily to assist clients with their queries.

As I have said previously in this debate, the coalition supports the majority of the amendments. We recognise that the amendments aim to address specific issues of inappropriate practices, like those exhibited by some in the real estate industry through underquoting or overquoting of property prices which gives the industry, together with Queensland, a bad image. Furthermore, these amendments will ensure motor dealers are operating as licensed traders as opposed to backyard operators whom no-one wants to have setting up shop next door.

Enhanced consumer protection measures are complemented by clauses 17 and 18 by amending section 118 of the act to ensure that improper retention of commissions are returned by court order on conviction for breach of new offence provisions.

I move now to address some specific clauses. As the coalition shadow minister I have taken the opportunity wherever possible to meet with and partake of consultation with various industry bodies likely to be affected by this legislation. The amendments reflected in clause 3 are related to the change in reference to those who manage residential properties from 'restricted letting agents' to 'resident letting agents'. In prescribing this title change, although quite minor, the legislation modernises and better reflects the true description of this role.

Having supported this clause, I make a request to the minister and her department that they give an undertaking to proactively inform all resident letting agents of the amendments and formally notify them of any changes or skill upgrading they are required to embark upon. I remind the House that the amendments in 2001 resulted in effectively two levels of restricted letting agents: those who were registered under the old system and were not required to comply with training requirements and those who were registered under the new regulations and had to comply by completing some six modules.

It is unrealistic to expect people to consistently check web sites for changes to licence regulations. It should be common practice for the Office of Fair Trading to inform individuals at the time of their licence renewal of any changes and make it easier, not harder, for them to comply.

In clause 4 the bill seeks to exempt charities, religious denominations and organisations formed for a community purpose from licensing and conduct requirements for auctioneers, particularly those celebrity drawcards who donate their services for no reward except to know that they have assisted a worthwhile cause. It is recognised that a well-known identity with a personable nature can pull a bigger crowd and therefore extract more money from bidders than an unknown. Unquestionably this particular amendment will result in a collective sigh of relief from our charitable associations and I am genuinely keen to lend my support as so many community based groups are in danger of closing their doors because of lack of funds, a plethora of red tape and a shortage of volunteers.

In every electorate throughout Queensland there must be countless not-for-profit associations that provide extensive and worthwhile services to our community. Charity auctions are a popular way to raise funds for a society with an increasing number of its citizens in need. They certainly raise more than your average sausage sizzle. I very much doubt if I am the only member in the House who has become a bit carried away with the spirited pitch of an enthusiastic auctioneer and paid much more for an item than they intended to at one of these functions.

**Mr Finn** interjected.

**Mrs STUCKEY:** I take that interjection. The member for Yeerongpilly had better come to some of my community group auctions. A perfect example of this is the annual Teenage Adventure Camp Queensland's luncheon and auction. Coming up again in May, this camp is run by an organisation which provides a week's holiday on the Gold Coast for severely ill children and attracts a big crowd who dig deep and bid big with plenty of encouragement from sporting and media identities. Without efforts like this, these children would miss out on a truly wonderful experience.

However, I find it unfathomable that the government could include in this clause an extension of this exemption to auctioneers invited to conduct sales at the Magic Millions, also known as the Gold Coast Horses in Training Sales. Before I proceed, I would like to offer my sincere congratulations to the Gold Coast Turf Club and everyone involved in the stunning success of this premier event held at Bundall in January each year. As a resident of our fair city for almost 19 years, I have watched the Magic Millions carnival develop into the 'must do' fun affair it has become since it was born nearly 20 years ago.

Commencing in the new year, the entire 18-day carnival showcases the Gold Coast's colour, glamour, fashion and sophistication, not to mention horse races and sales. Hundreds of jobs are created and local businesses and hospitality establishments thrive. To quote from the web site [www.magicmillions.com.au](http://www.magicmillions.com.au)—

The spectacular growth of Magic Millions in just the past four years has seen turnover surge from \$20 million to a staggering \$100 million plus.

I will take the opportunity to remind the House that, while these horse sales are justifiably recognised as a major tourist attraction, they do not in any shape or form resemble a charity. Therefore, the coalition believes similar exemptions should not be given. Magic Millions is a business, as the name would suggest—a jolly huge business. It escapes me why this Labor government is seeking to excuse one business from the same licensing and conduct requirements imposed on all others. Additionally, I understand that the state government assists with funding towards this event. When I tried to find out just how much funding is provided by the government via Queensland Events I was advised that it will not release the figures because it would be likely that another state would then offer more to the owners of Magic Millions to run their sales from the alternative location. This state government has deemed the amount of funding to be commercial in confidence and will not release any details at all. Is there any transparency with this government?

No doubt the minister will attempt to interpret my comments incorrectly and mean-spiritedly, as she usually does, when nothing could be further from the truth. I am an avid fan of the Magic Millions and always manage to attend one, if not more, of the events. In effect, with this bill and in particular clause 4 the Labor government is now pushing through specific purpose legislation. This move is puzzling and raises the question of motive behind this when historically Labor campaigned long and hard against it in the seventies and eighties, criticising this legislation as fundamentally corrupt. Perhaps the minister would be able to detail why this government is introducing a provision that will grant an individual a specific exemption under the act when in the past the government was staunchly opposed to the principle of specific purpose legislation.

Only last week we witnessed a backflip of the Labor Party stance on retrospectivity as the current minister took a stand diametrically opposed to that of the current Minister for Police and Corrective Services when she was the minister for fair trading in 1999. Are we going to see more of this? Is the minister perhaps suggesting that what we have here is a unique situation? Why will this government not apply specific criteria to ensure auctioneers are suitable persons under the same eligibility criteria as any other applicant? There is no provision for any application process and suitability confirmation for an auctioneer for the Magic Millions except that they must be deemed a suitable person by the CEO. This is not good enough. The people of Queensland deserve clear, accountable and tangible guidelines to ensure transparency—transparency that we hear so much about from members opposite.

I refer now to PAMDA form 11, which is the application for an individual's licence for a real estate agent, property developer, auctioneer, motor dealer and commercial agent. It requires a considerable level of detail to be disclosed as part of the application assessment process. I draw to the attention of the House part 9 of this form which outlines criteria for the suitability checklist. Some of these ask whether the associates or executive officers have been affected by bankruptcy action, whether they have been convicted of a serious offence in Queensland or elsewhere within the last five years, whether they have been disqualified from holding a licence or registration certificate, have they ever held a licence before, have they been disqualified under the current act, have they been named in the register of disqualified directors and so on. Part 10 of this form contains an additional checklist and a declaration. The criminal check here says that the person applying consents to a national criminal history check being conducted by the Queensland Police Service. I understand it says that any disclosures will be subject to applicable Commonwealth, state or territory legislation and/or policy. As honourable members can see, the requirements are quite detailed. I seek leave to table a copy.

Leave granted.

**Mrs STUCKEY:** The Magic Millions auction on the Gold Coast is a successful and valued event that has been operating impressively and profitably for over 18 years without any apparent imperative from the existing licence requirements. A local Queensland licence could be obtained in a straightforward way on application, given that the auction is a yearly event held on a fixed date each year. Consequently, there appears to be no good reason they should be exempted from the requirement for their auctioneers to hold a valid local licence. On the other hand, there are very good reasons the parliament should not approve requests for special treatment by way of exemption for a particular organisation or business. Firstly, this creates a reason similar requests will be made and accepted in the future, making nonsense of the rationale underlying the licensing system. Secondly, the breaching of this principle opens the door for people of unsavoury character and little experience to be permitted to operate in Queensland, as a similar lack of checking has graphically been demonstrated in another field of licensing. Of course, I refer to health here and the inexcusable tragedy resulting from the Dr Patel disaster. Thirdly, it inherently provides preferment to one party in an industry without exceptional and cogent reason, and it brings the parliament into disrepute.

If members opposite agree to the amendment in clause 4 as it stands, they will run the risk of participating in discrimination towards charities and other businesses by advocating a position of advantage for Magic Millions. As there are numerous sales of horses, both thoroughbred and general, I am led to ask the minister just precisely what backroom deals have been done to precipitate this exemption. There is absolutely no justification for an exemption in these circumstances. There is no objective basis for assessment or justification. A suspicious mind would be wondering what backroom deals have been done through the ALP mates network to have the Queensland parliament pass this legislation. Quite frankly, I would be surprised if the organisers of the Magic Millions themselves would want to pursue this matter further when they fully consider the implications. I give notice that the coalition will be opposing this amendment to the legislation.

Clauses 8, 85 and 86 bring me to question the intent of the government as to why it is so strongly behind a push which will implement a change from an 'officer of the department' to a 'Public Service employee performing functions under this act'. I further question why functions of this department would need to be undertaken by other departments. Is this another opportunity for unnecessary bureaucratic layering, for which this Labor government is becoming so renowned, or is it in effect reducing all-important front-line customer services? This change may sound good in theory, but it may not work well in practice. I do ask the minister to please ask her department to look into this.

If a caller reaches a centralised call centre, as with the SSQ—the Smart Service Queensland initiative—there is a reasonable chance the person answering will not know sufficient specific detail of an issue. We receive frequent complaints from constituents across the state with the system as it is. They often find it frustrating when they have to recite their complaint or request after they have been referred from one officer to another. Constituents complain that staff do not know enough about their own department's rules and regulations. People continually express their frustration at the lack of knowledge and lack of willingness to provide the information they need. If these changes are to come into being, can the minister guarantee that this amendment will result in better service delivery? Perhaps a regular mystery caller exercise by an independent source is warranted here to check on the level of service and the information being provided.

The requirement under clause 9 and clause 71 calls for motor dealers to comply with town planning requirements and provide evidence of same before being granted a licence. For many legitimate dealers this will ensure peace of mind that they will not be undermined by backyard operators. What is not mentioned is that unless there is a change of licence holder this clause will not trigger in the system. Increasing the penalty through clause 72 may act as a deterrent to unlicensed dealing.

It is imperative that we seek to ensure the integrity of trust accounts, for this is a critical area of consumer protection. In this respect, clauses 11 and 12 make the penalties for those who do not comply quite clear.

This bill has a number of clauses that are, in fact, mirror clauses to ensure comparative standards apply in relation to real estate agents, pastoral houses, auctioneers, motor dealers and commercial agents. This level of consistency is long overdue and reiterates the necessity for government to assess all industries that come under the scope of each and every act.

Far too often complaints are generated by aggrieved persons claiming that commission has been improperly retained or expenses excessively claimed. When a breach of the provisions of this act is proven in a court of law and a conviction is recorded, it is important that funds be returned to the rightful party as now specified by clauses 17 and 18.

The sale of management rights is a relatively new area of legislation and I support clauses 19 to 22, which engender a stronger means for the assessment of the viability of purchasing the rights, waive the requirement for multiple licence holders on adjoining properties and overcome the 60-day limit of sole or exclusive agency by recognising the commercial nature of transactions incorporating the residential unit attached to the sale of management rights. Given the licensing provisions for other sectors covered by this bill, does the minister intend to introduce any licensing regime for managers?

Clauses 23 to 30 and clauses 32 to 45 appear to contain few issues of contention. It is pleasing to see that the act seeks to provide more clarity. However, in respect of clause 31, which has mirror amendments in clauses 39, 56, 73 and 78, I raise industry concerns relating to the lack of photo identification for auctioneers, motor dealers, real estate agents and commercial agents. The original amendments to the act allowed for a photo identification to be produced exactly the same as in the Security Providers Act, yet unfortunately this does not appear to have been enforced. Surely it would be easier for the public to identify a licensed operator from photo identification than from a piece of paper deemed to be a registration certificate. It is also my understanding that dealers take photographs in, they disappear behind a desk and do not appear on the registration certificates. Perhaps the department could look into that.

With respect to clauses 46 to 58 and clauses 65 to 70, I endorse the introduction of the concept of a restorable vehicle and the consumer provisions that are introduced under statutory warranties for all used vehicles. However, this act does not extend its scope to address those new vehicles often termed

'lemons', which are continually being repaired under warranty when clearly there are serious and inherent problems with the vehicle. There are many reputable motor dealers, and perhaps if unscrupulous operators are regulated out of the industry the public will gain greater confidence in those who are licensed and who do provide a professional service.

I would ask the minister to address in her reply some questions that have been raised by the industry. How will the Office of Fair Trading ensure protection for customers if they purchase a vehicle from a backyard dealer and do not receive a statutory warranty? Will any minimum benchmarks be implemented to ensure protection? Has a trainee licence for motor dealers been considered to permit the training of young people? Are there additional costs envisaged for compliance officers?

It is essential to note that the statutory obligations of motor dealer licence holders will at all times need to be fulfilled as they will now be presumed to act as a licensee in the sale of any motor vehicle under clause 59. As clause 76 seeks to insert new section 345A, I ask the minister to clarify whether it is the intent of the section that a commercial agency must obtain the consent of their client when sending work to another agent. Industry representatives have advised me that, given time constraints inherent with process serving, currently many commercial agents may seek assistance from other licensed commercial agents when they need to service process or repossess a vehicle, for example, in an isolated part of Queensland. Generally, as a principle they would forward a request, courier documents and fax instructions to their appointed agent to handle a part of a process. It is often impractical to require an agent to obtain client authority, nor is it commercially viable when the activity has cost under \$100.

Members of the real estate industry tell me that they have concerns relating to clauses 79 to 84, specifically relating to comparative market analyses, or CMAs. The main concern held by industry is that the definition of CMA under section 574A(5) is subject to such a scope of interpretation that it causes significant issues, particularly when there is a situation warranting the imposition of penalties. The excessiveness of the penalty has been also been raised as a concern, especially when compared to other penalties applied to what would appear to be more serious offences.

There are many instances where a CMA is not able to be completed, particularly in rural and regional Queensland where there is the need for justification of pricing. The perception of comparative standard and condition is often based on subjective perception as opposed to an objective definitive checklist. This is an area the government should have done more to address.

Stakeholders in the real estate industry indicate that they are willing to comply, but there needs to be clear and objective guidelines in place. In addition, there needs to be a clear differentiation as to what is deemed to constitute intention to mislead versus exercise of judgement.

Clause 89 deals with other legislation amended by this bill, and I have no major concerns with this clause except those relating to the changes that I have already raised as issues. The Body Corporate and Community Management Act 1977 permits the electronic transmission of documents in line with the Liquor and Other Acts Amendment Act 2005. The Business Names Act 1962 means completed business name renewal forms will only need to be retained for one month rather than 12 months. In the Collections Act 1966, charities may distribute funds to members if the members are charities themselves. The Travel Agents Act 1988 removes the licensing exemption for crown owned businesses. The Introduction Agents Act 2001 changes the official or the officer to a Public Service employee. The Land Sale Act 1984 changes an officer to an appropriately qualified Public Service employee. The Partnership Act 1891 inserts a number of small changes. The Second-hand Dealers and Pawnbrokers Act 2003 changes official or officer to Public Service Employee. The Security Providers Act 1993 changes the official or officer to Public Service employee.

In summary, it has often been said that the department lacks teeth. It is little wonder when one looks at the lengthy time frames between consultation processes and resultant amendments and, clearly, an absence of prosecutions. Even taking on board the complexity with regard to the amount of detail required in legislation under the jurisdiction of the Office of Fair Trading, the time lines here have been avoidably lengthy.

The population drift from southern states to Queensland continues at a steady speed and it is important that our legislation maintains pace with change. Considering the raft of amendments before us tonight, can the minister give us any assurances that an effort will be made to seek greater consistency on a national basis? Is it the policy of the Office of Fair Trading to drive the legislation in this direction? Whilst this bill has taken a long time to see the light of day, there are a number of commendable amendments here. I wish to congratulate the minister and her departmental staff for their efforts.

**Ms JARRATT** (Whitsunday—ALP) (7.59 pm): It is a pleasure for me to rise to support the Property Agents and Motor Dealers and Other Acts Amendment Bill, fondly known as the PAMDA bill. I thank the minister for bringing this bill before the House for debate tonight. I got pretty excited when the shadow minister stood up and said that the opposition was largely in support of the bill and, with a few minor exceptions, was willing to give the minister credit for a job well done. But then we sat through half



an hour of complaints, objections and whingeing. Perhaps one day we can give true credit where credit is due. I was pleased that at least the minister was given some credit because the minister is a champion for the consumers in this state.

**Mr Reeves:** The consumers' friend.

**Ms JARRATT:** I take that interjection from the member for Mansfield—the consumers' friend indeed. It is not an easy role though. The minister does find herself having to perform something of a balancing act between the interests and rights of industry and the interests and rights of consumers. I think the minister does a really good job and I think her staff and the Office of Fair Trading do a fantastic job. We have relatively few people taken in by unscrupulous people in this state, and the moment they are the minister acts quite decisively to remedy that. That, indeed, is what is behind some provisions of this bill tonight.

The bill covers some fairly wide-ranging areas, but a lot of the emphasis in the bill relates to two of the major purchases that consumers make during their lifetime—that is, the purchase of a home, house or property and the purchase of a motor vehicle. Nothing could be more fundamental than making sure that consumers' rights are protected in these areas as well as giving fairness to the licensees and industry members on the other side of the equation.

I want to address a specific part of the bill tonight. I know other speakers will be exploring other issues or other sections of the bill, but tonight I want to say a few words about the part of the bill that refers to the clarification of rights to terminate long-term 'off the plan' contracts. This is pretty important. Buying off the plan is a growth area in my electorate. We see so many unit blocks advertised—for example, a 40-room apartment building—but in order for that property to be realised they have to sell a certain number of units off the plan. Sadly, in one area of my electorate to the north that did not happen, and it left what is referred to as a hole in the ground because the project did not ever come to fruition. We hope that one day it will. It is a growth area and something that I did not know anything about a few years ago, but I am certainly learning quickly.

It is pleasing to see the minister and her department taking positive action by introducing amendments which will help to provide some certainty for those parties involved in the sale of 'off the plan' units. Mr Speaker, as you are probably aware, the Property Agents and Motor Dealers Act was amended by the commencement of the Liquor and Other Acts Amendment Act in December last year. These amendments clarified how contracts of sale may be electronically conveyed between parties to ensure the requirement that the statutory warning statement is 'attached' as the top or first sheet of the contract documents. That was a very important consumer protection and was widely applauded at the time. The statutory warning statement is part of the consumer protection regime in the act and urges consumers to seek their own independent legal and financial advice before proceeding with a purchase of residential property. If the statutory warning statement is not attached, the purchaser has the right to terminate the contract at any time up to the time of settlement of the contract.

The Court of Appeal raised doubts as to whether the statutory warning statement was properly attached in the case where physical attachment was impossible—for example, when faxing or emailing contract documents. So to resolve the situation the Liquor Act amendments introduced a process to allow for the electronic transmission of contract documents without diminishing the consumer protection requirements to provide a warning statement and, in the case of the sale of a lot or proposed lot in a community title scheme, an information sheet. The process, if followed correctly by sellers or their agents, would remove the right for a purchaser to terminate a contract on the basis of the failure to 'attach' the warning statement. It did indeed clear up something of a grey area. In this day and age we need to be cognisant of technology and the changes it makes to the way we operate in a whole range of fields but, most importantly, when we are dealing with legal documents. The Liquor Act amendment clarified the issue of 'attachment' of the warning statement to the proposed contract. This was in response to uncertainty about whether faxing or other electronic transmission of contract documents was permissible under the existing law and the comments made about 'attaching' in the Court of Appeal hearing in the matter of MNM Developments v Gerrard.

The current amendment provides a right to terminate in relation to long-term contracts for the sale of lots or proposed lots in community title schemes formed prior to the commencement of the Liquor Act amendment on 1 December 2005. However, in the case of long-term contracts for the sale of lots or proposed lots in community title schemes whereby settlement may not occur for several years, purchasers will be able to exercise their right to terminate the contract based on the failure to 'attach' the statutory warning statement only for one calendar month after the commencement of these amendments. This amendment to the act will preserve the buyers' rights for a limited time but at the same time will ensure that there is confidence in the process for these long-term contracts.

I support the minister taking a positive step in this area to introduce certainty of contract progression for both buyers and sellers in relation to existing long-term contracts. This bill and the amendments contained in it act to further enhance the operational efficiency of legislation to clarify consumers' and licensees' rights and obligations without, as has been suggested by those opposite, significantly increasing the regulatory burden. I commend the bill to the House.

**Mr SEENEY** (Callide—NPA) (Deputy Leader of the Opposition) (8.06 pm): I am pleased to make a short contribution to the consideration of the Property Agents and Motor Dealers and Other Acts Amendment Bill 2005. I will restrict my contribution to the consideration of this bill to a couple of sections. The first that I will comment on is the exemption that is granted to auctioneers for charity events, the so-called celebrity auctioneers. I think that provision is long overdue.

**Mr Wallace:** That applies to you.

**Mr SEENEY:** Yes. It would have applied to me in certain places and times in the past.

**Mr SPEAKER:** It cost me \$300.

**Mr SEENEY:** Yes, Mr Speaker. I was not going to mention that. It is a sensible amendment to the act, and I congratulate the minister for doing it. I do not think any charity auctioneer or celebrity auctioneer has ever been taken to task for technically breaking the law when they conduct such auctions. It is something that I have always been aware of and that I have always made known to people who have asked me to do those types of charity auctions. They are great fundraising events for a whole range of different organisations—the parliamentary press gallery not excluded. They do provide a certain amount of excitement and interest for social events at different times. It is a shame that those of us who have been auctioneers at such events were technically breaking the law.

**Ms Keech:** I think last time you were going to give us a rendition of being an auctioneer. You promised last time. Remember?

**Mr SEENEY:** No. You will have to come to the parliamentary ball next year.

**Ms Keech:** It might have to be a bit later in the evening.

**Mr SEENEY:** I think it would test the skills of Hansard. I do not think I would do it to Hansard, mainly because it would be indecipherable. But I am pleased to see that exemption in the bill. It will enable those of us who make those contributions to do so with a clear conscience. The whole business of auctioneering is, as I have said before in this House, often misrepresented. People sometimes get the wrong idea about the role of auctioneers and intend to blame the auctioneer for what they consider to be a less than favourable outcome. I think that is unfortunate.

That probably has been the cause of the strict licensing provisions that were in place that made it essentially totally impossible for anyone to sell anything unless they were a licensed auctioneer. I think there needs to be a broader and greater understanding of the role of the auctioneer. It is something that will require an education process more than anything else to understand just what the role of the auctioneer is.

Last time I spoke about auctioneers in this House I said it was the auctioneer's job to bring the buyer and the seller together, and that is as good a definition as I have ever heard. That is the role of the auctioneer: to bring the buyer and the seller together. Unless an auctioneer does that, he or she—and there are some good female auctioneers around—fails in their job and neither the buyer nor the seller leave satisfied or get what they want.

Once again, in considering this bill I want to put in a plug for the auctioneers. There are some great characters who are auctioneers. Some of the greatest characters that I have ever met have been in the auctioneering business. Working with auctioneers has been one of the most satisfying parts of my life. I have certainly met some great characters who have made a real name for themselves and who have developed a real persona as a professional, as a showman and as a performer.

I dwell on this subject because I know that whoever is the minister will from time to time be lobbied by interest groups that will want to further restrict the activities of auctioneers. I just ask for some understanding from whoever is the minister and whoever are the senior bureaucrats in the department of what the auctioneer's role is. I think it is too easy to be influenced by people who want to further restrict that role—

**Ms Keech:** They don't understand the very important role that auctioneers play.

**Mr SEENEY:** They certainly do not understand the role, but they want to make the whole process sterile and almost foolproof. People should go into auctions bearing in mind the old adage 'let the buyer beware'. When they go to auctions that is something that they should have at the front of their mind. It is the buyer's responsibility to be aware. A good auctioneer does have a tendency to carry a crowd and to build up the momentum, as we did at the crab auction when we auctioned the crabs here at Parliament House. A good auctioneer has an ability to lift values at different times—

**Mr SPEAKER:** Except it kept me off the dance floor, that is all.

**Mr SEENEY:** That is because there were too many crabs, Mr Speaker. In the end, it is the buyer who has to be aware. I think I will leave the issue there.

The other point I wanted to raise was that of clause 34, which gives me some concern. I will be interested to hear the debate on that clause when it is considered in detail. Clause 84 deals with auctioneers' involvement in setting a reserve price. I know that reserve prices vary widely and that

individual assessments of what a particular property or a particular item is worth certainly varies greatly depending on the individual. I am cautious that this new clause that is being inserted somehow restricts the right that an individual has to set their own reserve price, somehow motivated by an assumption or an implication that the setting of the reserve price can unfairly affect the value.

I come back to what I was saying before about the obligation that a buyer has to be aware of the values and to make their own decisions about what is a fair value. This clause requires a comparative market analysis, or CMA, to be provided if the auctioneer is part of setting the reserve price. I wonder about the motivation behind that. I have not been part of the briefing so I really do not know what the thinking of the department was and how that is going to work in practice. I can understand, to some extent, the workability of the clause in an urban property situation, but I wonder whether the minister has thought through the full consequences of that when it is applied to the wide range of auction situations or the wide range of agency situations and the different circumstances that apply in less common situations such as clearing sales, livestock sales and even major rural property sales where we really do not have the sale activity that is comparable. They are very much subjective decisions about what the reserve price is, and they can be motivated by a whole range of different issues.

I understand the detail of it. I have read through it. I understand it is any situation where the agent or the auctioneer provides the reserve price that the CMA, or comparative market analysis, document required. I will leave the discussion until we debate the clauses. I raise that because it is a continuation of the concern that I expressed before. This whole sale activity is somehow being restricted too much, and there is a move to try to make it foolproof and bound up with regulations that will essentially rob it of its character.

The auction system, the auctions and the auctioneers have a wonderful heritage. There is no doubt that there are rogues in the business. Do not get me wrong; there are rogues in the business. But, equally, there are rogues who operate as buyers and sellers in the business. To try to regulate the activity to such an extent that it is going to prevent those people from being part of that activity—either as buyers, sellers or agents—will essentially rob it of its value. I just raise that as a caution. I would not like to see the whole auction system restricted any more than it is at the moment. I suspect that this requirement for a comparative market assessment is getting very close to the point where it does restrict that activity too much. I will end my contribution there and look forward to the discussion in the clauses.

**Mr FINN** (Yeerongpilly—ALP) (8.17 pm): Mr Speaker, it gives me pleasure to follow on from such a demure contribution from the member for Callide.

**Mr Shine:** Are you sure it was him?

**Mr FINN:** Indeed it was. The great similarity of character that unites the member for Mansfield with the member for Callide as auctioneers—it is a good thing.

I commend the minister, her department and her ministerial staff for bringing this bill to the House today. I did not get an opportunity in the earlier debate to recognise International Women's Day, but one of the comments made by the Deputy Premier in the House this morning was the need to have more women in leadership positions. So it is fitting that a female minister is today bringing forward the protections that this bill provides and is sitting in the minister's chair putting legislation to the House tonight, and there are other prominent women speaking in the debate as well.

I will speak briefly on a couple of aspects of the bill, and the first concerns the underquoting or overquoting of residential property prices. This bill takes on those rogue real estate agents and auctioneers who indulge in the practice of underquoting and overquoting property prices. In doing so I should say at the outset that I am a fairly close watcher of property prices in my electorate, particularly given that many people have been priced out of the market in many suburbs in my electorate due to the boom in prices. In the main, most real estate agents in my electorate are genuine and honest businesspeople. They comply with their legal requirements, they work ethically and they go out to get the best price for their sellers within that framework. I say to those people that there is nothing to fear from the provisions of this bill. This bill addresses the practices of disreputable agents who attempt to secure listings by overquoting the potential market value of a property or who fraudulently underquote the property value to attract potential purchasers.

I am pleased that the real estate industry has condemned these practices and that we bring the bill into the House today with its support. I have spoken with Don McKenzie of the REIQ about this and other matters relating to real estate. I thank him for his informed assistance and his frankness in the discussions he has had with me. The REIQ recognises that these practices do not enhance the industry's reputation and need to be addressed comprehensively, which this bill does.

When sellers and buyers are misled by overquoting or underquoting unfair competition is promoted against ethical agents who attempt to properly and professionally advise their clients about market conditions and prices. It also raises unrealistic expectations by sellers in relation to the selling price of their properties. I see this time and time again in my electorate with people setting prices that are far too high for their properties and then expressing frustration to me that they are unable to sell or that there is no interest in their properties. People have even complained about an agent because they cannot sell their property when in fact they have been encouraged to set the price too high.

The bill addresses this conduct by requiring agents and auctioneers to substantiate any price or reserve price quotation by giving vendors a document called a comparative market analysis, or a CMA, and I note that the member for Callide mentioned this. A CMA substantiates agents' and auctioneers' quotations by including pricing information about like sales in an area. It requires an agent to provide, in writing, like sales within five kilometres of the radius of the property they are attempting to sell.

**Mr Hopper** interjected.

**Mr FINN:** I will get to that. As I was saying, there have to be three examples of that within the preceding six months. It requires agents to provide like sales. In remote areas or when there is a downturn in the property market it is sometimes not easy to provide that. However, it requires an agent or auctioneer to provide a written determination of how they have appraised a property's value. There may not be those opportunities, as the member for Darling Downs pointed out, but it requires written advice to be given to sellers. This enables sellers to be more informed about decisions on setting prices for their properties. Quite simply, it provides a level of consumer protection for sellers who consume real estate services and for buyers who consume similar services. This flows into increased confidence in the industry by buyers, sellers, agents, analysts and even interested observers.

This bill also imposes requirements on auctioneers to obtain a reserve price from their vendor prior to auction. It also continues the direction of legislative trends, both in Queensland and Australia-wide, to ensure that real estate auctions are conducted with transparency. In those cases where a vendor instructs that no reserve price is to be set, an auctioneer must advise the vendor in writing of the consequences of that—that being that, without a reserve price, a property is on the market from the commencement of an auction. The bill also preserves the confidentiality of reserve prices, ensures that the auctioneer achieves the best possible competitive offers from potential bidders and prevents misrepresentation of the reserve price or a likely selling bid in order to entice bidders to attend the auction. These amendments contribute directly to consumer protection aspects of the bill and ensure that a clear message is sent to rogue operators that this behaviour is not on. This bill ends that.

Secondly, I want to comment briefly on the aspects of the bill that facilitate better business practices by motor dealers. Members of this House will know that my electorate of Yeerongpilly contains the Magic Mile and a number of used car yards along Ipswich Road. The member for Ipswich drives past them every day when she travels down Ipswich Road. This bill brings better accountability, clearer obligations and simpler compliance procedures in this industry. I know that other members will talk about that, but I will focus on those aspects of the bill.

These good initiatives include the provision of statutory warranties for used cars, ensuring that repairs can be undertaken wherever a vehicle is located; the ability for purchasers of older vehicles who might purchase for restoration reasons to waive their rights to statutory warranty and save themselves the cost that may come with the provision of such; clarification of demonstrator vehicles as used motor vehicles; providing buyers with a cooling-off period and a statutory warranty; a requirement that motor dealers disclose their licensing status to all intending purchasers, thus ensuring that motor dealers cannot avoid their statutory obligations; and increased penalties for unlicensed motor dealing. Having said that, much of the used car trade occurs in my electorate and I am pleased that those initiatives are being introduced in this bill. I acknowledge the work of the Motor Trades Association of Queensland and its commitment to ensuring that the industry operates in a fair environment for both consumers and motor dealers. I understand that the MTAQ has contributed positively to the development of this bill.

I want to comment briefly on the concerns of the member for Currumbin about the Magic Millions. I am sure that others will comment on this and I am certain that the minister will address it in her response. Unlike the member for Currumbin, I am not concerned about the potential exemption that this legislation offers to the Magic Millions. This is a critical event to the Gold Coast, as the member for Currumbin acknowledged. However, we cannot on the one hand say that it is very important to the Gold Coast economy, it is very important to tourism and it contributes a massive amount of money and jobs but on the other hand we do not think it should have an exemption under this legislation.

**Mrs Stuckey** interjected.

**Mr FINN:** On the one hand it is really important and on the other hand we do not want it to have the exemption. The exemption is a one-off. As the member for Currumbin points out, it enables an exemption to be given to an international auctioneer who does not hold a Queensland licence. It does not enable exemption from the suitability clauses in the act. So it does not enable a non-suitable person to be an auctioneer at that event. It enables that event to function in the best possible way with a one-off exemption.

Unlike the member for Currumbin, I am not concerned because I know how important that event is to the Gold Coast. I know that the success of that event is critical to the economy of the Gold Coast. I am confident about a one-off exemption for a person—it is not an exemption for an event; it is an exemption for a suitable person—who is just not licensed in Queensland. Therefore, an international auctioneer of good standing who meets the suitability requirements is able under this legislation to participate in the Magic Millions. My view is that that is a good thing and a very sensible thing to enable

the success of that event. With those few words, I acknowledge the work of the minister and her team and congratulate them all on bringing to this House legislation that delivers stronger consumer protection to Queenslanders.

**Mr HOPPER** (Darling Downs—NPA) (8.28 pm): I want to touch on a couple of issues briefly; I will not speak for very long at all. I refer to the member for Callide's speech. Members in rural electorates are quite often called upon to act as auctioneers at charity events. In the past I have been very nervous about doing so. At the Jandowae show I sold a number of items. It was a celebrity auction. I was the auctioneer. Under the current legislation, I was actually breaking the law. It is as simple as that. What could I do? This bill actually covers us now, and I appreciate the minister's input in that area, because, as everyone knows, my colleague the member for Callide is a very good auctioneer. That has been proven. That is why the Speaker had to pay so much for the crabs or whatever it was that he purchased.

If a person has the gift of the gab and they are in a position such as the members of parliament are then they are quite often called on to do these things. I congratulate the minister on the provisions in this area. They will certainly open up a lot of opportunities for me and I know that I will get a darn lot more work, and so will the member for Callide.

I turn now to the issue of real estate in our rural areas. I have been in contact with quite a number of people to discuss this. I have had a long look at this bill and what the government is seeking to introduce. I am just coming to grips with it. If I make some mistakes in my speech perhaps the minister could correct me. I am happy to accept correction.

Real estate agents in our rural areas are the ones who have the knowledge of the value of properties. They are the ones who know what a property is worth. We would not go to our bank manager and ask him how much our property is worth. We would go to our real estate agent, buy the *Queensland Country Life* or the local paper and look at the property market, and then we would get a fair idea of the value of our property.

There is no doubt that there have been shonks out there in the past. Under the legislation being proposed people will have to fill out form 22A when they list their property for sale. I have a copy of that form which is a quite in-depth document. When a real estate agent sits down with the people listing the property they have to go through all this detail. We understand why there is this provision but there is so much red tape involved.

I am extremely concerned about a couple of things. I will go through a couple of points in the minister's second reading speech and then give my point of view. The bill provides a 60-day restriction which I believe used to be 90 days. From what I have heard, real estate agents would like that to go back to 90 days. They would like that extra month to deal with things. In terms of overquoting and prices reserved by real estate agents and auctioneers, the bill proposes that the act be amended to require real estate agents and auctioneers to substantiate any price or reserve quotation with the comparative market analysis, which was mentioned by a previous speaker, of sales in the area.

Quite often people drive through an area and a property catches their eye. The people who have bought that property have obviously put a lot of time, energy and money into making their place look good, and the neighbours have not. They might have the exceptional property in the area in which they live. Their property should have a higher valuation than any other within that area. I note that the minister says in her second reading speech that if the agent cannot get that analysis within a five-kilometre radius, which immediately rules out anything other than properties in our cities—I know the minister's background and I know that she understands where I am coming from—because of a lack of sales and activity in the area then the agent must provide the seller with a written explanation of how the agent arrived at the market price. That puts more pressure on agents to come up with an explanation of the valuation. The agent is liable if it is not right. From what I understand, the agent can be fined a number of penalty points. That puts more pressure on the agent to come up with an exact valuation. I understand that the minister is trying to look after the consumer.

I probably cannot name an agent in my electorate who is a shonk. I am serious. With the drought that we have had over the last 12 years, the people who have made it in the industry are not shonks. I feel that the legislation we have in place currently has worked exceptionally well. The biggest fear of agents is that the industry is deregulated. The only protection they have now is that it is still a regulated industry. God forbid if it is ever deregulated.

They are the people who really do know the price of a property. If I want to sell my property I want the most that I can get for it. The agent, too, wants the most he can get for it because he will get more commission and he will not be unrealistic because he will not be able to sell it. I feel that the legislation that we have in place now caters for the industry. It is a case of supply and demand. It is a level playing field and there are protection mechanisms in place.

I am yet to look very closely at the clauses. I will probably speak to the clauses. I am very concerned that more pressure will be put on agents. They will have to do a darn lot more work. I probably know every agent in my electorate. It is as simple as that. I know the people who are trying to sell and I know the people who buy properties to sell them again. I think the legislation is working very well at the moment. That is my contribution to the debate on this bill.

**Dr LESLEY CLARK** (Barron River—ALP) (8.35 pm): The proposed amendments to the Property Agents and Motor Dealers Act 2000 implement a number of recommendations arising from the report of the outcomes of the review of the act tabled in this House on 24 November 2004. I welcome the opportunity to contribute to the debate tonight because these amendments will further enhance consumer protection objectives, without imposing significant additional imposts on licensees. In fact, some of the amendments will clarify licensees' responsibilities and allow easier compliance.

The bill proposes changes that will influence the business climate of all industries regulated by the Property Agents and Motor Dealers Act 2000. Additionally, there are specific amendments for each licensed industry category, principally to improve the effectiveness of the legislation or to clarify the rights and obligations of consumers and licensees.

Tonight, I would particularly like to focus on the proposals intended to facilitate better business practices by motor dealers. The bill provides that if a buyer of a vehicle believes it has a defect which the dealer or warrantor must repair under the statutory warranty, the buyer must give the dealer or warrantor a notice of the defect and deliver the vehicle either to the warrantor or to somebody else nominated by the dealer or warrantor to repair that defect.

The new provisions relating to delivering the warranted vehicle for repair require that, if the vehicle is more than 200 kilometres from the warrantor at the time the defect notice is given, the vehicle is to be taken to the nearest qualified repairer. However, the warrantor may nominate another qualified repairer, in which case the warrantor is responsible for the costs of delivering the vehicle to that repairer.

I have spelt that out in some detail because this will be particularly welcomed by people in regional Queensland and particularly far-north Queensland. I know this from experiences that my constituents have had in this particular situation. A constituent of mine bought a car for his daughter in Brisbane and got it back home. Within a matter of weeks there was a serious fault. It was in warranty. He contacted the dealer in Brisbane who said, 'You will have to bring it back then won't you.' Obviously the cost involved meant that there was no way it was going back to Brisbane and they just had to meet the repair costs themselves. I am pleased to see that the amendments close that loophole because unscrupulous dealers could really exploit the fact that someone was too far away and they were not going to honour the warranty. That will be very welcomed by people in regional Queensland.

I want to touch on the issue of unlicensed motor dealing, because I know that that is also of great concern to many people. The bill will enhance the way unlicensed motor dealing is addressed by introducing some new legislative initiatives and bolstering some of the current regulatory tools available to the Office of Fair Trading to combat this behaviour.

As many members of the House will know, unlicensed motor dealers trade with none of the overheads of the bona fide industry participants, which puts industry participants at a disadvantage. Further, unlicensed motor dealer do not offer their 'customers' any of the consumer protections required under the Property Agents and Motor Dealers Act, such as the statutory warranties and the cooling-off periods which are so essential. Winding back odometers appears to be an activity commonly undertaken by those individuals who undertake unlicensed motor dealing activities and many members would know of people who have been caught taking part in that particular practice.

I am pleased to say that the maximum fine for unlicensed motor dealing has been doubled from \$15,000 to \$30,000 for individuals and from \$75,000 to \$150,000 for companies. The significant increase in fines has attracted widespread industry support and I am sure will act as a real deterrent to people who elect to flout the laws in this regard.

The bill will also introduce the requirement that all licensed motor dealers must trade from premises which are approved for such use by their local authority. Currently licensed motor dealers may operate out of a type of premises that might include high-rise buildings or other impractical or undesirable locations—for example, residential areas. A failure to operate only from premises which comply with local authority by-laws, ordinances or business places authorised under the Integrated Planning Act 1997 would form a basis upon which a pending dealer's licence may be cancelled. This will ensure that all motor dealers maintain a bona fide presence in the marketplace and will assist in the detection of unlicensed motor-dealing activity.

The bill also includes a number of provisions which will provide improvements for consumers and better practice in the property agency industry and better regulate the conduct of auctioneers. However, I am pleased to note that charities and special event auctions that do raise money for some wonderful good causes will be provided with some relief from licensing requirements reflecting these unique situations. This means that members of this House can continue their good work in fronting up to charity auctions and strutting their stuff pretending to be real auctioneers and getting the crowd involved and they will not have to worry about being approached by the Office of Fair Trading afterwards for a 'please explain'. That is a very good outcome.

The bill provides a mechanism for producing greater certainty for all persons involved in off-the-plan property transactions, which were potentially affected by confusion about how to transmit contract documents lawfully by electronic means. Given the significant residential developments occurring in my electorate there are quite a large number of those land sales which do occur off the plan and so I particularly welcome this amendment and I know it is welcomed by the people in Cairns.

The amendment that was in the Liquor and Other Acts Amendment Bill 2005 did address the issue of how the statutory warning statement can be attached as the top or first sheet to a contract of sale when those documents were transmitted electronically either by fax or by email. However, as members are aware, the industry has expressed concern that, due to the lack of clarity that has existed, faxing has occurred prior to the amendment which may in fact be in breach of the act and this could trigger a statutory right to terminate a contract of noncompliance and could create uncertainty in some contractual circumstances.

The bill proposes to make an amendment to provide that in relation to contracts to which the Land Sales Act 1994 applies—that is, as I have said, generally off-the-plan property purchases which have long settlement periods—on foot at the time the amendment commenced, which was December 2005, the purchaser will only have the right to terminate on the basis of breach of warning statement provisions due to the electronic transmission of documents for a period of 30 days from the time the bill receives assent. This is appropriate as there is no legislative guide for electronic transmission of contracts or documents prior to 1 December 2005.

In conclusion, the amendments to the Property Agents and Motor Dealers Act will further enhance operational efficiency of the legislation and clarify consumers' and licensees' rights and obligations without significantly increasing the regulatory burden. I congratulate the minister and her staff on a job well done and I commend the bill to the House.

**Mr WELLINGTON** (Nicklin—Ind) (8.42 pm): I rise to participate in the debate on the Property Agents and Motor Dealers and Other Acts Amendment Bill 2005. I will start by following on from comments made by the member for Barron River that as a result of this bill there will not be significant increases in regulatory burdens on people who will be impacted on by the bill. That goes to the heart of the issue I wish to touch on tonight. Every day when we sit in parliament and we participate in debates on a whole range of bills we talk about changing the laws, imposing new laws and putting new onuses and responsibilities on people. In this bill there are eight acts which in some manner or form will be amended. I invite the minister in her reply to comment on my proposal that we should, wherever possible, endeavour to have in the explanatory notes a heading which deals with red-tape reduction. There needs to be a very specific, clear requirement that ministers and department staff are required to focus on reducing the existing legislative burden. While we are introducing new laws, new amendments, putting new responsibilities or increasing the onus on various parties, we need to ensure that we are also focusing on reducing the existing legislative burden which is currently on all Queenslanders. Having a specific heading in the explanatory notes about what actions and efforts the department and the minister have taken to reduce the red tape ensures that at all times there is a focus on not just passing new laws but also trying to consciously reduce existing laws and the existing burden in Queensland.

I know that at the moment the minister is undertaking a review of the Fair Trading Act. I think it is important that we as politicians go out of our way to reassure Queenslanders that we are not just passing more laws; we are also trying to reduce existing laws. Someone has to go through and interpret the 68 pages in this one bill alone. I congratulate the minister on this bill and I would urge her to take to her cabinet meetings my request that in the future when ministers introduce explanatory notes there is a specific heading along the lines of 'red-tape reduction' so that there is a very clear responsibility on the part of department staff and the backbench committees which come up with recommendations and in the consultation process that the government is not just looking at passing more laws but is consciously looking at the same time at reducing existing laws.

Recently I was looking at a legislative scheme in another parliament. I can vividly recall reading that there was a requirement on the minister at the time they were introducing new legislation to specifically comment on where they had reduced existing legislation. Queenslanders would be pleased to see that appearing in a very clear and unambiguous way. I believe the most appropriate place would be in the explanatory notes or perhaps in the second reading speech. I believe by having it contained in the explanatory notes there is a very clear reference that all members and members of the committee can clearly refer to and reflect on what efforts the minister has made in relation to reducing red tape.

I note that the minister for small business and member for Kawana, Chris Cummins, is conducting and is partway through a review of the Red Tape Reduction Task Force. On page 3 of the explanatory notes the minister lists the extensive associations with which consultation has been had. She refers to the broad range of groups that have been consulted during this extensive review period. She lists the extensive range of government agencies which have been involved and refers to the community as well.

Without further ado, I commend the minister on the bill. It must be very rewarding, as the Minister for Tourism, Fair Trading and Wine Industry Development, to reflect at the end of the night, 'Yes, I have made a difference for the good of all Queenslanders.' Without repeating myself, it would be great to reflect, 'I have made a difference; I have also made a conscious effort to reduce existing laws which may no longer be necessary.' I commend the bill to the House.

**Mrs CARRYN SULLIVAN** (Pumicestone—ALP) (8.48 pm): I rise to support the Property Agents and Motor Dealers and Other Acts Amendment Bill 2005. I am very pleased to see that the minister has introduced these amendments to the Property Agents and Motor Dealers Act which will promote

business efficiency and facilitate the smooth transfer of property management rights when management rights, businesses or rent rolls are sold to another licensee. There are no members of the House whose electorate would not contain real estate property rental and leasing or management rights businesses. These businesses may manage properties on behalf of small-time family investors or self-funded retirees. It must also be recognised that they are also a first contact point for many tenants, including holiday makers and tourists who come to Queensland. It is therefore important to provide assistance to these businesses to ensure that the clients of these businesses receive continuity of service. It is also relevant to note that these businesses contribute significantly to the economy of the state and, as such, care must be taken when legislation is introduced which will affect them.

It is expected from time to time that rental property management and management rights businesses will be sold or transferred from one licensee to another. This can be a trying time not only for the existing clients of the business but also for the new licensee, who will have no doubt invested heavily in the new business. The amendment will greatly reduce the tension at this time by allowing for the smooth transfer of each client's appointment to act held by the original licensee to the new licensee.

Currently under the act when a new licensee takes over a business they must seek a new written appointment from each and every client of the business before they may lawfully act for them, including collecting rents or charging and retaining commissions. In the case of rent rolls this could be well over 1,000 clients. The amendments will allow for the assignment of written appointments to new licensees where the original appointment expressly provides for it in the terms of the appointment and the terms of the appointment remain the same in all other aspects—in other words, the previous appointment becomes the written appointment for the incoming licensee. These amendments will not reduce the current protection provided to clients of management rights businesses that are contained in the Property Agents and Motor Dealers Act. The current right to terminate an appointment will not be affected by the amendment.

In conclusion, I must thank Minister Keech for the work that she and her staff have done in this area. The consultation has been wide ranging. I must say that this amendment is a win-win outcome for businesses and consumers. Congratulations! I commend the bill to the House.

**Mr COPELAND** (Cunningham—NPA) (8.51 pm): I rise to make a short contribution to the Property Agents and Motor Dealers and Other Acts Amendment Bill 2005 in the House tonight. The bill covers quite a wide-ranging area. To be honest, there is only one area that I particularly want to cover. The member for Callide covered in some detail the issue of setting reserve prices. I think there are some very real concerns about that in the bill. I look forward to hearing the minister's reply. That could be an issue particularly in rural areas in the way that that is set out. To be honest, I think it is up to the vendor to decide what reserve price is going to be set. As I said, the member for Callide has gone into detail on that.

Clause 4 of this bill provides for exemptions for charity auctions, whether it is celebrity auctioneers or the Magic Millions. This is the area on which I particularly want to concentrate my contribution tonight. As members of parliament are all aware, going to charity auctions can be a very dangerous occurrence—

**An honourable member:** And very expensive.

**Mr COPELAND:** And very expensive. It is something that we do because we want to support the charities. However, we can leave and find our wallet much lighter. I know this from my own experience. I was at an auction about 18 months ago. I put in a bid of \$50 for a painting. The next thing I knew was that it was a \$100 bid and I was walking away with it—and that was from a licensed auctioneer. There are certainly some dangers in it.

**Mr Shine** interjected.

**Mr COPELAND:** I point out to the member for Toowoomba North that you cannot do anything about it. I notice that he was not at that auction to support it, even though it was close to his electorate. I was there to support it and I bought the painting for \$100 because it was for a good cause.

**Mr Reynolds:** He is too lousy.

**Mr COPELAND:** I would not say that. I almost said that but I would not be drawn into that. It is very good to have an exemption for charity auctions. We all know that they are for a good cause. In many cases, it is not licensed auctioneers conducting those. In some cases there are. In this particular case there was, and he was not particularly moral in the way he was doing it. But that was okay; he was doing it for a good cause and we were all happy to participate. Likewise, it is good to be exempting the celebrity auctioneers. The member for Darling Downs said that he had been called on. I do not think he is a celebrity auctioneer and I do not think some of the other auctioneers are either, but it is for charity. All of us can understand that. I have been called on to auctioneer on a number of occasions and I always decline because I am an absolutely hopeless auctioneer. They would lose more money than they would gain if I was doing it. So I always try to dob someone else in. The member for Callide, for example, is an excellent auctioneer and I know other members do that as well.



The area I want to concentrate on is the Magic Millions and the exemption that is granted to it. I was quite perplexed when I read the bill and saw that there was an exemption from the requirement for the auctioneers at the Magic Millions to be licensed auctioneers. I note that the member for Yeerongpilly said earlier that the exemption is to allow international auctioneers to come and auctioneer. While I can see that point and I understand that there may be some occasion for international auctioneers to come over, I still think there may have been a better way to write the legislation. For example, it could have said, 'An auctioneer licensed in another jurisdiction may be exempt under certain circumstances.'

The Magic Millions is a very significant event not only in terms of being a significant racing and tourism industry event—as the explanatory notes state—but also in terms of the economic contribution to our state. That is particularly what I want to concentrate my speech on. As I have said on a number of occasions in this parliament, my electorate—and I guess Beaudesert may be the other—and the ones surrounding mine are probably the centre of the thoroughbred breeding industry in Queensland. The Magic Millions is a very important event to the vitality and prosperity of those thoroughbred breeding enterprises and of course the flow-on effects to the other industries that sit around that. We need to make sure that the Magic Millions is a successful event.

I was at the Magic Millions in January this year. I must pay tribute to Bill Millican and the committee of the Gold Coast Turf Club. I acknowledge the member for Southport, who is on that committee. It was a very successful event and I was very pleased to be able to be there to participate in that event. I had not been to the actual race for a few years until this year. I have certainly been to the sales previously. It must have been either the first or second Magic Millions event, which I think was around 20 years ago—and the minister might be able to correct me. So I was quite young when I went to that event. It was a packed event then and it is a packed event now. It is a great event for the Gold Coast and for Queensland. But, more importantly, it is a great event for the thoroughbred breeding industry in Queensland. We need to make sure that we do everything we can to continue that success but also to continue the probity, to continue to make sure it does the right thing. To be honest, I have to question why we are providing an exemption for the auctioneers who operate there. It is such a big industry. Big dollars change hands.

**Mrs Stuckey** interjected.

**Mr COPELAND:** The shadow minister tells me that \$100 million changes hands. There have to be very good reasons why there is an exemption for the auctioneers. I am not convinced that those reasons exist. We have good auctioneers in Queensland. We have top auctioneers in Queensland. If it comes to that, we should be using those auctioneers. Certainly, there may be occasions for charity events—

**Mrs Stuckey** interjected.

**Mr COPELAND:** The shadow minister reminds me that we have not needed them for 20 years. There are very good reasons why we should be licensing those auctioneers. An exemption for the Magic Millions is very questionable. In my own electorate and, I have to say, in the electorates surrounding me—and I will promote them just as vigorously—there are studs like Wattle Brae at Pilton. It is run by Gary and Phoebe Turkington and they had their most successful Magic Millions yet. It was a fantastic event for them. It was the highlight of their year and it has been the best Magic Millions that they have ever been to. The Eureka Stud, run by Scott and Grania McAlpine, had yet another good year. Eureka has been a longstanding stud on the Darling Downs and has been very successful. There is also Oaklands Stud, run by Neville Stewart, whom a lot of members of parliament would know. Unfortunately, his stud was touched by tragedy when Lion Hunter died a couple of years ago. It was one of the most promising sires in Australia. There is also Highgrove Stud, run by Ron Gilbert. That is in the electorate of the member for Darling Downs. Ron Gilbert has a small boutique stud but probably has the highest quality brood mares of any stud. Then there is Furlong Stud run by the Atkinsons. They are a very successful family in thoroughbred breeding in Queensland at Cambooya. The list goes on and on. These are very big and successful studs. The Magic Millions is an important part of their year and their prosperity.

Let us think of all the industries that hang off this one. On many occasions in this House I have spoken about country racing and the importance of the thoroughbred breeding industry to my electorate and to regional areas across Queensland. For example, Regimental Gal won the two-year-old race a couple of years ago. That horse is owned by some very close friends of mine from Toowoomba.

**An honourable member:** Did you back it?

**Mr COPELAND:** Unfortunately I did not back it. However, I saw the news that night and I will never forget the look on Adele Roberts' face. Adele and Frank Roberts were part-owners of Regimental Gal. On the news that night I saw Adele with her hat flapping in the wind as she led Regimental Gal. That has to be one of the great experiences of being a racehorse owner. It is extraordinary to think that they can own a million-dollar horse. Of course, Regimental Gal went on to bigger and better things.

I have a part interest in a racehorse that was bred at Wattle Brae Stud by Gary and Phoebe Turkington. Unfortunately, she did not quite qualify for the three-year-old race at the Magic Millions. She almost got there and we were hoping that she would. I am certain that if she had qualified she would have been very competitive.

This is something that we all aspire to. The Magic Millions provides horse owners with the opportunity to see if their horse could qualify for a million-dollar race, either the two-year-old race or the three-year-old race. It is a great thing for Queensland and we need to ensure that its success continues. I question whether the exemption for the auctioneers at the Magic Millions is appropriate. We have great auctioneers in Queensland and we have never needed this before. In the early days Elders was associated with the auctions. It has been a real success and we do not want to be tampering with it.

With those few words, we support the majority of the bill. There are some areas that we have concerns about. The Magic Millions is a great event. I really enjoyed it this year and I look forward to going back next year.

**Ms Keech:** We look forward to welcoming you back to the Gold Coast.

**Mr COPELAND:** I thank the minister very much. I know that the studs in my electorate and surrounding electorates will continue to support it and will continue to breed fantastic horses that will win races throughout Australia and the world.

**Madam DEPUTY SPEAKER (Ms Male):** Order! I call the honourable member for Toowoomba North.

**Mr Reynolds:** An excellent member as well.

**Mr SHINE (Toowoomba North—ALP) (9.01 pm):** I take that interjection. I am very pleased to speak on this reforming legislation. I will not be talking about auctioneers, Magic Millions or the magnificent studs on the Darling Downs. However, I certainly endorse the remarks of my colleague from the Darling Downs, the member for Cunningham, in relation to the establishments that he mentioned and their importance to Toowoomba, the Darling Downs and the Toowoomba Turf Club, which the member for Warrego is familiar with.

The explanatory notes to the bill state that this amending bill arises out of a review of the 2000 act that was tabled in this House in November last year. Reviewing the act made me think of the laws that applied when I first had an association with motor vehicle law or the law applying to the sale and purchase of motor vehicles nearly 40 years ago. In about 1968 I studied the law of contract. I have been thinking about the laws that were in place then as opposed to the laws that are in place today in terms of protection of the consumer. The reality is that there is very little familiarity between the two.

I recall that the limitations on remedies and avenues for redress available, particularly to acquirers of dud motor vehicles, were extremely limiting when compared to those of today. In those days, the remedy was primarily found in the common law, but there was some meagre statute law in place to assist. One of those laws was the statute of fraud, section 17, which basically laid down some provisions that applied to the sale of goods over the value of \$20. However, there were restrictions in terms of the enforceability of that type of contract, depending on whether consideration had passed and whether the relevant documents were in writing and signed by the party to be charged.

As I said, the main remedies were to be found in case law or common law. One of those remedies was a claim of mistake. It must be remembered and understood that what is commonly regarded as morally wrong is not always legally wrong. Those seeking remedies at law were often disappointed because of a failure to understand the difference. This arose often when the claim of mistake was put up as the basis for discharge from the contract or relief from the consequences of breach of a contract. The word 'mistake' bears a more restricted meaning in professional rather than popular speech. The law did not take the simple line that a contract is void merely because one or both of the parties would not have made it had the true facts been realised.

Likewise, there were many pitfalls to the litigant claiming redress, particularly in relation to the sale of motor vehicles, where often the claim of misrepresentation would be put up. It was always difficult to determine whether a claim was true or false. There is a case called John McGrath Motors v Applebee where a dealer sold an 18-month-old car as a new car. The car had never been sold before. It had always been in the showroom or in the possession of the dealer and, therefore, it was not a second-hand vehicle. The court had to decide whether or not it was a new vehicle. In that case the High Court had to determine whether the statement made was made fraudulently, rather than whether it was false. These are complicated matters that had to be overcome by the average person who claimed that they had been taken for a ride, so to speak, when they bought a car.

Some people were taken in by flamboyant statements, but were those statements actionable? An example is the claim that a car was a prestige auto. Books are often advertised using the words, 'You will not be able to put it down.' How much reliance can be put on the mere puff that is often used to describe the attributes of an item being sold? We had to distinguish whether that was something that one could seek relief on or whether it was to be ignored by the court.

Often the pitfalls included the fact that there was no relief in certain circumstances where what was being said was not an actionable misrepresentation but merely an expression of opinion. Situations arose where silence alone could not constitute a misrepresentation and where half-truths may be misrepresentation. One would have to look at the possibilities of claims of duress or undue influence

and matters against public policy. At that stage in the mid-1960s it was becoming popular to rely on the doctrine of fundamental breach and collateral contracts. Of course, there were the old favourites of seeking rescission on the basis of a breach of condition or damages under warranty. There was a reliance on implied terms and conditions as to the fitness, merchantable quality and title. Those were the sorts of areas in which the law afforded some sort of redress if the litigant was able to prove the facts supporting what the law said would provide that type of relief.

It was not until the 1970s in Australia, both federally and in the states, that some legislative relief came into existence. Of course, under the federal Labor Whitlam government, the Trade Practices Act was introduced in 1974. In Victoria, Western Australia, South Australia and the Australian Capital Territory legislation was also introduced. This provided reforms, for example, requiring licensing of motor dealers. If there was a conviction of dishonesty or discreditable conduct the penalty was the loss of the licence. Legislation of this nature required traders to be fit and proper persons, with requirements to keep accurate records. Certain prescribed particulars were to be given in a contract of sale. Contracts were to be wholly in writing. It was to be an offence to tamper with the milometer of a car or knowingly make a false statement as to the mileage travelled. The purchaser could apply to the court for rescission or damages if the act had not been complied with. With respect to second-hand motor vehicles, traders were liable to make good defects depending on the minimum price paid and the number of kilometres travelled.

In Queensland, the first act of the current nature was the Auctioneers and Agents Act 1971. As far as motor dealers were concerned, it provided for their licensing; it prohibited people not of good fame or character or fit and proper persons being involved; there was to be a register kept; there was provision for inspections; and there was provision for information to be given to purchasers as to the type of vehicle, engine number, chassis number and so on. It was probably best known for the requirement for roadworthiness certificates to be supplied, but it also provided for the establishment of a code of professional conduct. It probably did not go as far as legislation in other states in terms of consumer protection, but at least it was a start.

So we arrive now at the position which is very favourable, in my view, to consumers, particularly compared with what operated 40 years ago. This bill extensively reforms the Property Agents and Motor Dealers Act 2000. The bill includes amendments that increase the fine for acting as an unlicensed motor dealer; amendments that ensure that motor dealers only operate from premises that have town planning approval so as to preclude 'backyard' operations; amendments that prevent motor dealers selling vehicles from avoiding the required cooling-off period for the purchase of a vehicle and the statutory warranty by claiming they are selling the vehicle as a private seller; and amendments that include a requirement for a dealer to nominate a repairer in situations where the vehicle is located some distance from the warrantor. This new provision excludes 'written-off vehicles' as 'warranted vehicles' and allows for buyers to waive a warranty on vehicles which are older than 20 years.

In short, the amendments set out in this bill are a continuation of the progression of reform leading the consumer to a very high degree of consumer protection that we now enjoy in Queensland. I know that the minister, in particular, was described earlier tonight as a champion of the consumer and I think that description is a fair one. That is not an exaggeration at all. I know that the minister and her department for that matter enthusiastically take their responsibilities seriously in defending the little guy when it comes to their business dealings, particularly with used-car dealers, car dealers and real estate agents.

I do not wish to add anything further to the debate tonight other than to have referred briefly to the matters relating to motor dealers, which I think was worthwhile bringing to the attention of the House. I commend the bill to the House and I commend the minister.

**Mr Lawlor:** We want to know more.

**Mr Wilson:** More!

**Mr SHINE:** It is tempting.

**Mr DEPUTY SPEAKER** (Mr Lee): Order! The honourable member still has seven minutes left on the clock. He should not feel rushed.

**Mr LANGBROEK** (Surfers Paradise—Lib) (9.15 pm): I rise this evening to speak on the Property Agents and Motor Dealers and Other Acts Amendment Bill—a bill that will amend the Property Agents and Motor Dealers Act 2000, amongst others, to address a number of issues arising from its recent review. I am glad to be able to speak on this bill this evening.

As coalition shadow minister for racing, I look forward to making comment upon this bill with specific regard to an exemption provided for the Magic Millions operations. I know that exemption has already been raised by the shadow minister—and I thank the shadow minister, the member for Currumbin, for her synopsis and analysis of this bill. The Magic Millions carnival is a major racing carnival held at the Gold Coast Turf Club. I notice the member for Southport, an erstwhile committee man from the Gold Coast Turf Club, here in the House this evening. The Magic Millions carnival happens to be in the electorate of Surfers Paradise, which I am proud to represent.

The 2000 act, when it repealed the Auctioneers and Agents Act 1971 in July 2001, was aimed at championing and strengthening consumer protection. It was to achieve this through modernising licensing practices in the industry and regulating real estate agents, restricted letting agents—now 'resident letting agents'—pastoral houses, property developers, motor dealers, auctioneers and commercial agents. A report reviewing the act was tabled in 2004, suggesting the act had worked well over the three years in providing consumer protection across a range of industries as well as promoting best practice in those industries. The report did, however, detail a number of additional consumer protection measures, a number of industry performance enhancement initiatives and a significant number of technical amendments to assist the act in achieving its purpose.

In offering their support to this bill, members on this side of the House want to ensure that the amendments which are long overdue go far enough to protect the consumer and thereby enhance the name of good agents who are operating in the respective industries.

It is common knowledge that in the electorate of Surfers Paradise there is a high concentration of unit complexes. After dialogue with some of the property agents in the electorate, I understand it is a common occurrence that restricted letting agents 'lock out' or attempt to 'lock out' other agents from complexes that they manage. This means often the managers are the only agent to sell in the complex that they are managing. They then limit their marketing only to investors, ensuring that the property remains or becomes a rental property in their letting pool, ensuring further income for themselves. This has the potential to disadvantage the seller as the property is not opened up to the broader market—that is, to residents and investors alike—and that can only be detrimental to the seller's interest. Any change to the legislation should be aimed at protecting the seller in this instance. Clause 17 and some others in this bill scratch the surface of this issue, but further regulation may need more specificity.

I would also like to draw attention to a possible need to make it mandatory for auctioneers to verify the identity of and to register all bidders at an auction and to identify vendors bids to other bidders at the time the bid is made. As I recall, this initiative was suggested by the shadow minister, the member for Currumbin, in a private member's bill which was voted down by this government.

**Mr Caltabiano:** It was rejected.

**Mr LANGBROEK:** It was rejected by this government. As I have noted previously, we have brought in 67 private members' bills and the government has rejected all but one.

I was contacted with regard to this matter at the end of 2004 by the principal at Coldwell Banker Property Australia. I was informed that the agency—one that operates in both New South Wales and Queensland—has had no problem with the registration and identification of bidders at auction since the changes had occurred in New South Wales relating to auctions. The agency informed me that it now encourages all bidders to register and issues bidding paddles at all auctions.

I note that the bill at clause 84 does do well in addressing issues of overquoting or underquoting on selling prices of property prices by real estate agents and, indeed, addressing this issue specifically for vehicle auctions, but I would like to take this opportunity to flag another problem being experienced in practice within the real estate industry. The REIQ in a release to members also highlighted that there were changes to the documentation. Currently, there is some confusion relating to the various prescribed forms that are in use and how these are to be used, especially relating to the fax transmission of contracts.

It is important that this is clarified by the minister, be it in this bill or similar legislation. I seem to recall that the faxing of contracts has been authorised following a case involving a constituent of mine in which the purchaser sought to get out of the purchase due to a fax page not being sent in the right order. I remember that we dealt with this legislation last year. I know that the member for Southport made representations to the minister, as I did on behalf of my constituents. I think that this may have been clarified, and I would certainly welcome that on behalf of buyers and sellers and the certainty that it would offer. I seem to recall the judge in that case even went to the extent of looking up the dictionary definition of the word 'attached', simply because of this attachment issue—whether a fax meant that it was not attached unless someone made the effort to actually attach the front page. So, without clarification, consumers—both sellers and buyers—are potentially exposed with contracts that may not be binding even though they are prepared with the utmost care. It was poorly drafted legislation that has caused this confusion and the industry needs clarification.

Other noteworthy improvements that this bill provides are initiatives in line with the 2004 report relating to motor dealers operating from approved premises, penalties for unlicensed motor dealing and ensuring motor dealers do not avoid their statutory obligations by pretending to be private sellers. Again, I know this is an issue where people by the side of the road sometimes sell more than a couple of cars over a certain period of time, still pretending to be private sellers when obviously they are selling a number of vehicles.

Introducing penalties for this and excessive or improper commission offences, as well as a requirement that such commissions are returned to the client, is a step in the right direction. This bill is commendable in its honourable pursuit of consumer protection. Entering perceived cutthroat industries relating to big-ticket items such as vehicles and property can be daunting for consumers, especially first-time buyers.

The biggest question in this bill for me is something that I have raised before, and that is one of its exemptions. I flagged this concern earlier as it relates to Magic Millions. Clause 4 of the bill inserts an exemption from the licensing and conduct requirements imposed on people performing auctioneering duties, currently contained in chapter 7 of the act, in two specific situations: (1) where an auctioneer receives no reward for conducting an auction for a charity, religious denomination or other like organisation formed for a community purpose—I think no-one would have any argument with that; and (2) where the auctioneer has been invited to participate in the annual Magic Millions thoroughbred racing horse sales.

The explanatory notes explain that this exemption will apply only where the sale is conducted for Magic Millions Sales Pty Ltd and the person conducting the sale is approved by the chief executive before the sale as a suitable and appropriate person to conduct the sale. There is no disputing the fact that Magic Millions has become so popular it now attracts international attention and is a significant racing and tourism industry event. I have continually supported the precinct and the event in this House, but this exemption does not sit well. Unlike the first exemption, justifiable because charity auctions, often involving a celebrity auctioneer as a drawcard, are a fundraising strategy used by many not-for-profit and community groups, Magic Millions Sales Pty Ltd is a private company and no private company should be afforded an advantage over others through legislation. It is not the role of parliament to protect one private enterprise over another. I am yet to hear of a case made to qualify this exemption and I hope that a justification is offered by the government.

This exemption also seems a little different from the Australian Labor Party's former attitude to similar legislation. In the 1970s the Australian Labor Party campaigned against specific purpose legislation to support the Iwasaki Capricorn Resort and the development of the Paradise Centre in Surfers Paradise. Such special legislation to benefit individual entrepreneurs was criticised as being fundamentally corrupt, with the ALP arguing that legislation should be general in nature, not to suit the economic benefits of any one developer.

The clause 4 exemption seems to demonstrate a sharp turn in thinking, and I would like to ask the minister what deal, if any, has been struck in order to have this exemption included. This bill should be general in nature to permit any horse auctioneer to apply for an exemption from licensing in appropriate circumstances. It should also lay down specific criteria to enable any such application from exemption to be objectively assessed and justified. In the absence of these provisions, the suspicion will always remain that this is a shoddy mate's deal which this government has entered into. The Property Agents and Motor Dealers and Other Acts Amendment Bill has my support insofar as its aims to protect consumers and thereby legitimate dealers within the industry itself.

**Mr NEIL ROBERTS** (Nudgee—ALP) (9.24 pm): For most people, the purchase of their home and their car is the most significant financial decision of their lifetime. It can also be a period of considerable stress despite the obvious excitement that such endeavours can generate. Given the significance of these decisions, it is important to have in place a regulatory regime which looks after the consumer's interest while at the same time providing a workable and fair environment for vendors, agents and dealers to operate within.

When the current Property Agents and Motor Dealers Act was introduced in the year 2000, the government gave a commitment that it would be reviewed at an appropriate time to allow stakeholders to have a meaningful input and to provide feedback about its effectiveness. That consultation has now occurred, and a full report on the outcomes of the review was tabled in the parliament by the minister in November 2004.

The new amendments in this bill ensure that Queenslanders, both consumers and traders, will have access to contemporary legislation which provides greater transparency and fairer outcomes in transactions to sell or purchase property and motor vehicles. The significance of this act and these amendments cannot be understated. In 2003 there were nearly 200,000 residential property transactions and over 500,000 motor vehicles sold in Australia. The act also regulates licensing and registration of around 40,000 real estate agents, motor dealers, developers and others involved in these industries.

Whereas the review has underpinned a number of amendments which will improve the environment in which property and motor vehicle transactions take place, it is also important to acknowledge that the act has been achieving its primary objectives of regulating for the protection of all consumers and promoting freedom of enterprise in the marketplace.

I now want to highlight just a few of the changes which will be of interest to consumers. With respect to motor vehicle purchases, the bill proposes that, when a vehicle is required to be returned after purchase due to a possible defect, if the vehicle is more than 200 kilometres away from the warrantor at the time the defect notice is given it can be taken to the nearest qualified repairer, unless the warrantor nominates a repairer, in which case the warrantor will be responsible for the delivery costs of the vehicle to that repairer.

This provision will overcome the awkward situation which previously existed where owners were required to return the vehicle to the warrantor's place of business even though they may have lived hundreds of kilometres away. This provision will be of particular benefit to people living in regional

Queensland who, for a range of reasons, have bought their vehicles in another place. I particularly think of students who may have purchased a car in the city and on their return home to the bush find it has a defect. People who commence travel soon after purchase will also benefit from these provisions.

Another significant amendment relates to the new requirement for motor dealers to disclose their licensing status to all intending purchasers of motor vehicles, whether they are dealing as a business or are proposing to sell the car privately. Both my daughters have recently purchased their first cars within the last few years, and it was not an unusual experience to ring a person who had advertised in the classified ads section of the weekend papers expecting to contact a private individual but later discovering that the place to inspect the vehicle was in fact a car yard or that the person was in fact a car dealer.

This new provision will introduce a level of transparency to these situations which will ensure that consumers can make an informed choice about whom they are actually dealing with and what warranties and protections they can therefore expect from their transaction. Dealers who breach this provision are liable to a penalty of 400 penalty units, which currently equates to a fine of around \$30,000.

With respect to auctions, the bill provides an additional safeguard for vendors with regard to reserve prices. Under the new provisions, an auctioneer will be required to obtain a reserve price from a vendor prior to the commencement of the auction unless the vendor instructs otherwise and has been given notice of the possible consequences of selling without a reserve. This is an important protective measure for vendors and consumers of auctioneering services. It provides a clear and adequate warning that one of the consequences of not having a reserve price is that a property is on the market from the first bid—a situation which could have major financial implications for a homeowner if insufficient competition or interest in their property exists at the time of the auction. Additionally, if an auctioneer provides advice to a vendor about a reserve price, the new provisions make it clear that this advice must be able to be substantiated on the basis of a comparative market analysis.

The final provision I want to talk about relates to charities or not-for-profit community organisations that conduct auctions using celebrities or non-licensed auctioneers. The new provisions allow these organisations to conduct auctions with unlicensed auctioneers, provided the auctioneer is remunerated in any way and that all of the proceeds of the auction are paid directly to an officer of the organisation authorised to receive and deal with those funds. These provisions are quite generous and will greatly assist organisations with their fundraising. The bill contains a number of other provisions which enhance and protect consumers in transactions they engage in for motor vehicles and properties. I congratulate the minister and the department for ensuring this bill continues to look after the interests of both consumers and the business professionals who operate in these sectors.

Debate, on motion of Mr Neil Roberts, adjourned.

## ADJOURNMENT

**Hon. RE SCHWARTEN** (Rockhampton—ALP) (Leader of the House) (9.30 pm): I move—

That the House do now adjourn.

### Save Kirra Hill Inc.

**Mrs STUCKEY** (Currumbin—Lib) (9.30 pm): Tonight I wish to record my disappointment along with nearly 3,000 southern Gold Coast residents who share the view that the original school building built in 1919 on Kirra Hill is worthy of heritage listing. Enormous public pressure resulted in the state government gifting the picturesque site to the Gold Coast City Council a year ago to set aside for community use. Many past pupils still live in the southern Gold Coast region and they are very passionate about their old school and this parcel of land remaining free of residential development. In November 2004 a nomination and application for heritage listing of the original school building was enacted, the logic being that council is a four-year proposition and heritage status guarantees protection of this magnificent site for perpetuity.

Late on Friday, 3 March I found out that the application was unsuccessful. I have to say that I find the decision most disheartening. The Gold Coast has very little of its cultural heritage left to remind us of our history and now an opportunity to preserve a slice of it appears to be lost. It is my understanding that the Heritage Council did not believe the building was of significance to the state and that too many additions have been made to the original schoolhouse. Granted, the building is in poor shape and needs a lot of restoration. However, it is difficult to place a value on the importance of our heritage. There seems to be a gap in the state system that fails to acknowledge local culturally significant buildings such as this school, which was built post World War I. This means that the responsibility falls to the Gold Coast City Council.

In the message from the National Trust Director, Penny Cook, in the March edition of *Trust News*, Ms Cook comments—

The national trust is unashamedly about identifying places of heritage value and promoting their importance as part of the sense of continuity of a community. Heritage is to be enjoyed as part of the strong future of a balanced society.

Save Kirra Hill Inc. is a dedicated group which formed as a result of a public meeting which I held in August 2004. These people are unashamedly proud of their and their ancestors' history. Community groups such as these are to be congratulated for taking proactive steps to protect and preserve their cultural heritage. Apparently there is a 20-day time period to lodge an appeal to the Heritage Council, so there is still hope, although it is very slim. Members of Save Kirra Hill Inc. have advised me that they plan to appeal and are seeking an extension of time to do so.

The National Trust director has also said that the government has dropped Queensland's heritage down the scale of things that it thinks are important as there has not been a community heritage incentive program for two years. This is a great shame for Queenslanders, as they will lose more and more reminders of their cultural heritage if we do not ensure that we look after it and save it. I appeal very much to the National Trust to reconsider this important heritage listing, not only for the people of the southern Gold Coast but also for the whole of Queensland. It sits atop a magnificent spot on Kirra Hill, which is famous as a surfing destination. Countless people still live in the area who have a very strong attachment to it and who attended that school. We have their commitment that they would be prepared to work towards restoring it.

### Clean Up Australia Day

**Mr HOOLIHAN** (Keppel—ALP) (9.33 pm): I want to bring to the attention of all members of this House, if they were not involved, that Sunday, 5 March was Clean Up Australia Day. It is a sad indictment on our society that we have to have a Clean Up Australia Day. According to Ian Kiernan, the face of Clean Up Australia for the last 10 or 11 years, 700,000 volunteers worked on that Sunday and they collected 9,000 tons of rubbish Australia-wide. This rubbish was collected from our beaches, parks and camping areas. It was left there by people who could not care less about their environment and could not care less about their community. Aren't we really trying to make this nation into something of which people can be proud? We have to go out and clean up after people who are too lazy to take their rubbish with them.

On the Capricorn Coast in Rockhampton, which covers my electorate, the coordinator was Anthony White and his partner Leanne. We had people who cleaned all of the beaches on the Capricorn Coast and into North Rockhampton. The people who turn out are those who really have a great care for their own environment and a great care for their own community. I hope that every member of this House spent some time on Sunday cleaning up in their own area. It is high time that we took stock of those people who do not care. With reference to the motion tonight in relation to deposit return on containers, one of the things that really came home to me in the area where I was involved was the fact that PET plastic containers, particularly coke bottles, seemed to be the most popular rubbish to be tossed out of a car or to be dropped by people followed very closely by Red Rooster boxes or KFC boxes.

**Mr Lee:** KFC mainly.

**Mr HOOLIHAN:** Red Rooster in some places as well. People buy these and they see them as throw-aways and their first inclination when they cannot get near a bin is to either toss it out of the car or drop it where they walk.

I commend to every person that instead of a Clean Up Australia Day we have a Keep Australia Clean year, year after year. People should think before they drop rubbish; people should think before they throw rubbish out of a car. I commend to people the motto that was used for national parks at one stage—take only photographs and leave only footprints. Take your rubbish with you. I commend to everyone: do not rubbish Australia.

### School Transport Assistance Scheme

**Mr HOPPER** (Darling Downs—NPA) (9.36 pm): I wish to bring to the attention of the House details of my concern over the frustration and confusion being felt by parents and their children in respect of bus travel assistance which forms part of the School Transport Assistance Scheme. Recently I have been contacted by a number of constituents who have voiced their concerns following their unsuccessful application for bus travel assistance with the Department of Transport. In all of these cases the eldest child has previously been approved for a number of years for this same travel assistance. However, their sibling's application has subsequently been denied even though they reside at the same residence.

In one particular case a child received approval for bus travel assistance on 18 June 2004. Her sibling commenced school at the beginning of 2006 and an application to the department was sent on 3 January 2006. This child was issued with a bus pass on the same date. However, on 24 January 2006 it

was requested that this bus pass be returned to the bus company as the application had been declined by the department. My constituents are still awaiting written confirmation of their child's unsuccessful application. On 13 February 2006 my constituents then received a letter from the Department of Transport stating that, as a result of the ongoing audit process associated with the management of the School Transport Assistance Scheme, their eldest child would also have her assistance withdrawn as their residence had been identified as being 3.141 kilometres from the closest school, which fell short of the 3.2 kilometre access requirement. My constituent's property boundary would in fact meet the 3.2 kilometres-plus requirement.

My constituents then received a letter of notice of successful application from the department on 21 February stating that their eldest child was now eligible. On 3 March 2006 the bus company telephoned my constituent stating that the elder child had been approved for safety net travel as from 6 March 2006. This approval was given due to the family's healthcare card entitlement. This advice contradicted the department's written approval for full travel assistance as per the letter dated 21 February. My constituent then contacted the Department of Transport Passenger Transport Services on 3 March. The departmental representative confirmed that the child was in fact only entitled to the safety net travel. When my constituent asked why this contradicted the written approval dated 21 February, the representative stated that the wrong letter must have been sent out.

This scenario of events is frustrating for the parents and extremely confusing for the children, who are sometimes eligible for assistance and at other times ineligible, depending on what correspondence or advice was last received from the transport department Passenger Transport Services. This particular case is not an isolated one. Many other families have been affected by the department's audit process and its inefficient management and handling of the School Transport Assistance Scheme.

Would the minister kindly advise if there is a grandfather clause in place whereby the children who were granted free travel could not have it withdrawn if the reason for withdrawal was not due to the child changing address, a new school that was closer or a new road network? I would also like to comment with respect to the contents of the certification in the bus travel assistance application which is signed by all applicants. It states—

It is further understood that Queensland Transport reserves the right to withdraw travel assistance and recover monies paid, if investigations show the student to be ineligible.

Time expired.

### Far-North Queensland Hospitals

**Mr O'BRIEN** (Cook—ALP) (9.39 pm): I refer to an article by Kerri-Ann Stout in the *Cairns Post* on Wednesday, 1 March which refers to a recent survey of the far-north Queensland region's hospitals from Mossman south to Tully and west to the Atherton Tableland. The Queensland Health survey of patient attitudes found that patients felt that they received some of the best care in Queensland. The age-old problems of unpalatable food and long waits for beds still dogged the hospitals, even though those caring for our sick were considered amongst Queensland's most dedicated.

Mareeba Hospital was voted the best in the region, while Cairns nurses topped the state for their duty to care. Mossman staff were given top marks for listening to patients. Tully Hospital was one of Queensland's most restful settings. The article states that the survey results would be used to be improve patient care. Hospital staff are to be congratulated on the results of this survey.

Complaints about Mossman Hospital by patients were dealt with promptly. It was found that the remote medical centre needed a nicer change room and waiting area and better information for those going home. Patients admitted to hospital between December 2004 and May 2005 were randomly selected for the study.

We can listen to all sorts of people speaking in this debate—those opposite and those in Queensland Health—but I think the most important people we should listen to are our patients. I was very pleased to see from the survey that, overall, Queensland Health is doing a fantastic job in my region. Patients had some complaints—it is not that they did not have any complaints—but overall they were very satisfied with the service that they received from Queensland Health.

A lot of good things are happening in Queensland Health in far-north Queensland. The regional hospital for the area, the Cairns Base Hospital, is getting a new catheter lab. We have recently advertised the clinical CEO position as part of a statewide trial to ensure doctors have more say in managing health services. It is not all doom and gloom. The people who count in this debate, the patients, are telling us that a lot of what we are doing is good.

**Mr Schwarten:** And their families, like I am in Cairns.

**Mr O'BRIEN:** I take the interjection from the Leader of the House. That certainly coincides with the feedback that I got at the street stall I recently ran in Mossman. I got to speak to a number patients who had dealings with Queensland Health recently. They could not speak highly enough about the staff and the treatment they received under the state government's health system.



### **Cardwell Range; Dickson, Mr B**

**Mr ROWELL** (Hinchinbrook—NPA) (9.42 pm): The fatal accident on the Bruce Highway's northbound lane at the Cardwell Range at approximately 8.30 last Saturday morning was a tragic loss for the Dickson family of Ingham. Twenty-six-year-old Ben Dickson left home in Ingham in his year-old Toyota Rav 4 to drive north, but when negotiating a blind bend on the northern side of the infamous Cardwell Range the vehicle veered into a ditch on the roadside, crossed a small ravine, then hit an embankment. The impact catapulted the vehicle up over four metres into a tree of some 500 millimetres in diameter. The vehicle landed across the highway on the southbound lane. The driver's side was severely damaged, causing the death of Ben Dickson.

I visited the site of the accident with his father, Barry, and a neighbour on Sunday afternoon. Barry was unable to control his emotions when coming to terms with the events that led to the fatality that had beset his son. It was evident that Barry had a strong paternal relationship with his son. Two hours earlier on that Saturday morning a non-fatal accident occurred only a few metres away from the site of Ben Dickson's tragic accident. Traffic was held up for over two kilometres while the highway was cleared.

The Dickson family was particularly disturbed when their son was taken 150 kilometres to Innisfail, due to the accident occurring 500 metres into the far-northern police region, rather than being brought back 10 kilometres to Ingham, where they reside, to facilitate identification. The Dickson home in Davidson Street was inundated with friends and neighbours paying their respects to Ben, whom many had known since he was born.

The northern side of the Cardwell Range is, without doubt, one of the narrowest, most dangerous winding sections of the Bruce Highway between Cairns and Brisbane. On various occasions I have lobbied for the standards that were implemented on the southern side of the range 20 years ago to be implemented on this inappropriate, patched-up, hazardous section of the range crossing and for it to receive the attention it deserves. But an adequate response has not been forthcoming.

Despite many fatal and numerous less serious accidents, this high-risk section of the highway, with its substantial increase in traffic, has barely received lip-service for the necessary planning and construction for a road that meets the demands of today's traffic. How many more fatalities will take place before this receives a high priority and thus reduces the incidence of accidents due mainly to the unsatisfactory state of the highway? It is absolutely reprehensible that we see this happening.

### **Gold Coast Hospital**

**Ms CROFT** (Broadwater—ALP) (9.45 pm): After all of the negativity surrounding our nurses, doctors, allied and other health workers in our emergency services wards at our hospitals, I thought it was about time we shed some light on the work that does get done in these areas by these amazing people. The Gold Coast Hospital emergency ward has over 110 staff, led by Dr David Green and Dr Jo Timms. These two amazing doctors support and guide one of the strongest and most dedicated medical teams in Australia.

Every day a person with a different story arrives at the emergency ward. There are the elderly, people with addictions, the mentally ill, accident victims and people with many complex problems and acute needs. Last year, over 62,500 people attended the accident and emergency ward at the Gold Coast Hospital. Thirty-two per cent of these patients were admitted to the hospital following assessment at the emergency department. To provide a small example of the amount of work these amazing people face, I highlight that on New Year's Day 2006 over 280 patients visited the Gold Coast Hospital emergency ward. I am told that this number of patients is the highest recorded number of patients seen in one day in any emergency department.

Over Christmas and new year period the department averaged 210 presentations per day. This is an absolute credit to the hardworking nurses, doctors, allied and other health workers who work one of the busiest emergency departments in Australia. The emergency ward staff are highly respected by other emergency services personnel, and the working relationship established with ambulance officers and police officers is appreciated by all involved.

The rapid growth in the areas surrounding the Gold Coast Hospital has accounted for a 30 per cent increase in attendances at the emergency ward. Dedicated staff such as Dr Green, who has been with Queensland Health at the Gold Coast Hospital for 18 years, enjoy working in the high-pressure, team orientated environment of an emergency ward. Dr Green has recently been introduced as chair of the southern end network, which was a recommendation from the Davies inquiry to help empower clinicians to make decisions.

So I would like to take this opportunity to thank our fabulous and inspiring team of doctors, nurses, allied and other health workers at the Gold Coast Hospital, in particular those in the accident and emergency ward, and highlight the importance of the state government continuing to support this sector. We need to further communicate with the people who are actually in these roles to hear what

their opinions are about their work environment, the better utilisation of space and any ideas and input they may have to contribute to the introduction of new programs that may aid in freeing up space in the busy wards.

I know that Dr Green and the staff are looking forward to the master plan for the new Gold Coast Hospital being developed. I personally spoke with the Minister for Health about this today. I look forward to working with my Gold Coast colleagues and the minister to improve health services and to address the needs of the staff to improve their working conditions at the Gold Coast Hospital.

### Hooning

**Mr ROGERS** (Redcliffe—Lib) (9.48 pm): The new year brought with it a resurgence of hooning on the Redcliffe peninsula. Anzac Avenue is a popular destination for motorists to go lapping, drag racing and to put their foot down. This is not a new issue in my electorate. In fact, it has been prevalent on the Redcliffe peninsula for as long as I can remember, as it is in many other localities. Police clocked a motorist in Redcliffe doing 173 kilometres per hour, more than double the legal speed limit. In December 2004 a mother from Margate was caught drag racing along Anzac Avenue at 144 kilometres per hour in a 60-kilometre per hour zone with three young children in the back seat of her hotted-up car. The other drag racer had his fiancée and 18-month-old child in the car, too.

Why people would drive at these outrageously high speeds is difficult to comprehend. What is more alarming is motorists endangering the lives of their own families and children for the sake of speed. I was approached by several new and long-time residents in January this year with complaints about noise and safety relating to the frequent hooning on Anzac Avenue, many of my constituents claiming the hoons' motivation was insufficient police presence. I agree that there is an issue with police staffing numbers, which is an ongoing concern in Redcliffe. There is simply not enough police to meet community demand. Police scarcity encourages hoons to play up and satisfies their need for speed.

Police are expected to prioritise homicide, domestic violence and robbery cases before hooning complaints. However, hooning is antisocial and dangerous behaviour. Hooning places the lives of other road users and pedestrians at risk; it is disruptive, harmful and selfish driving. We have a duty of care to make our roads safer. Nevertheless, I am pleased to announce that in response to the complaints I received I made representations which resulted in a police squad being established and it undertook a two-day campaign on 23 and 24 February targeting the eastern end of Anzac Avenue. Surprisingly, the hoons actually performed when the video camera came out.

This police squad seized 11 motor vehicles under the hooning laws. Other charges include drug possession, drink-driving and unlicensed driving. Unbelievably, the Labor candidate in Redcliffe is still not up to speed on local issues. Last week she claimed in the *Redcliffe and Bayside Herald* that speed cameras are used on Elizabeth Avenue to catch hoons. She is not even aware of where the hooning problem is. Elizabeth Avenue has not been mentioned. Unfortunately for her, her own government has proven that police numbers are the solution.

I am satisfied that the hardworking Redcliffe police officers are utilising resources and playing a proactive role in addressing the community's concerns about disruptive, dangerous and antisocial driving behaviour. However, I am not so convinced that the government has addressed police staffing shortages in Redcliffe and has not provided long-term solutions. Tough police action against hooning and dangerous driving is what our community needs to solve our hooning problem, but if we do not have adequate police numbers in Redcliffe we are working against the odds.

Time expired.

### Bike Week

**Mr LEE** (Indooroopilly—ALP) (9.51 pm): This is Bike Week and today is Ride to Work Day. Thousands of cyclists made the ride from their homes to King George Square in the city for a free breakfast. There were rides organised from throughout my electorate—from Indooroopilly, Graceville and St Lucia—and from other parts of Brisbane where people do not ride bikes as much as they should. We also organised a wonderful Ride to University Day and there was a free breakfast held near the university tennis courts organised by Bicycle Queensland. There was great support from the University of Queensland Cycle Club. People like Ben Wilson, Bill Loveday, Robyn Davies and Leah Lane did an absolutely great job organising this week's activities, together with their team.

This morning there was also a special activity for state members of parliament who participated in Pollies Ride to Work Day. Six state MPs rode today. As well as myself there was the member for Redlands, the member for Glass House, the member for Broadwater, the member for Mount Coot-tha and also the member for Mount Ommaney. They all showed their support for cycling and cycle safety. It was a wonderful display.

I note that again there is not a single Liberal or National member in the chamber. Most members will recall from the list of names I read out that there was not a single Liberal or National among them—

not a single Lib or Nat participated in Ride to Work Day today. What an absolute disgrace. Someone mentioned it to me it in King George Square. What they said was, 'Don't they understand; they don't have to ride a tandem or they'd actually fight over who'd be in the front seat and who'd be in the back seat'.

This state government genuinely cares about cycling and cycle safety. In case any of the members opposite reading this speech feel that their party was in no way represented, the federal member for Ryan turned up. He participated in the ride, but he was so keen to have his photo taken that he had his office staff park their car in the no-standing zone on George Street obstructing the cyclists that were riding to King George Square, almost causing a stack. It was a terrible, terrible display.

Indooroopilly State School in my electorate runs a great cycle safety program and two weeks ago I participated in the program along with Ryan Gardiner and Gavin Findlay. Gavin is from Ashgrove Cycles. They did a great job with the year 7s; it was a wonderful, wonderful day. Hilary Backus, the principal, who regularly rides to work, was there as well. I would like to make this offer to the federal member for Ryan, who really needs a lecture in cycle safety: next time there is some cycle safety things going on with primary school kids in my electorate he is more than welcome to attend and we will teach him what the rules of the road are and, in case there is any confusion, he is more than welcome to bring his staff. There is a simple message when you are dealing with bicycles: obey the road rules and just because you drive a car or think you are important enough to have your photo taken does not mean you can treat cyclists with contempt.

### **Maryborough Neighbourhood Centre**

**Mr CHRIS FOLEY** (Maryborough—Ind) (9.54 pm): I rise to inform the House about the wonderful Maryborough Neighbourhood Centre which I had the privilege of attending the opening of along with the Hon. Warren Pitt, minister for communities and disabilities and member for Mulgrave. It was a great show of bipartisanship; good evidence that we can work together to bring good things to our community.

The Maryborough Neighbourhood Centre is an absolutely fantastic organisation. It was a great organisation in the old building, which was an old Queenslander house that was somewhat of a rabbit warren. All sorts of groups met there, including the Micah Youth Group. The volunteers that help out in the Maryborough Neighbourhood Centre are absolutely fantastic. It is a great place for people to come and hang out and the new building offers so much more in terms of facilities and opportunities for people to get together. There are very fast internet connections for people to use. Different friends' groups and many and varied groups in our community meet at the Maryborough Neighbourhood Centre. We also have a large multicultural representation in the Maryborough Neighbourhood Centre and a very big Filipino community. I would also like to pay tribute to Chita Bodmer, who is the manager and director of the Maryborough Neighbourhood Centre, and also Barbara Patterson, who is the president of that organisation.

It would be remiss of me to leave out the volunteers, because they are really the backbone of the Maryborough Neighbourhood Centre. Even though it took a fair while for the opening to occur due to the unfortunate illness of the minister, it was a wonderful day when the minister, his wife and staff came up. Many area directors and public servants attended the opening. It was a magnificent day. Nobody knows how to put on a feed like the neighbourhood centre. I joked around with Chita Bodmer that I hold her personally responsible for the five or six kilos that I have put on since I have been attending neighbourhood centre functions.

It is an absolutely brilliant place. It is a credit to the state government and our community. There was also a great involvement from federal and local government. All in all it was a great effort and it is a credit to our community and we look forward to its eventual expansion.

### **Junior Sport**

**Hon. KW HAYWARD** (Kallangur—ALP) (9.57 pm): Sport, especially junior sport, has always played a big part in the life of young people in the Kallangur electorate. All sports are played there: netball, soccer, Australian Rules, boxing, cricket, Rugby League, Rugby Union. They are just some of the sports and the sporting clubs that operate within the Kallangur electorate. There is an enormous commitment from volunteers who are involved in those clubs.

I want to take this opportunity to speak about the growth of junior Rugby League in Narangba and Burpengary, two suburbs within my electorate. The Narangba Rangers Junior Rugby League Club was established last year and in its first season was able to field three junior teams—under 7s, 8s and 9s. This year I attended its sign-on day. The club will field at least six teams in the competition this year. It is a demonstration of the fantastic growth that has occurred in that club over that 12-month period.

It is a great credit to the club committee and its supporters and the direction given by Brian Winney, who is a very experienced junior coach. He is the director of junior coaching at the Redcliffe Junior Rugby League Club. That is a club, of course, that has an enormous number of junior players; over a thousand juniors signed on this year at that club. The sign-on day was a great day. The Broncos

Rugby League Club sent down three of its players—Barry Berrigan, Leon Bott and Tony Carroll—who were impressed by the young kids who were coming along, but also, I think, by their parents and the adults who were involved in the day. Brian Winney is very committed to junior Rugby League. The time he has given to provide guidance at this new club has been fantastic. The Redcliffe Rugby League Club is one of its major sponsors. It is exciting to be involved with a club from the very beginning.

The Burpengary Jets Junior Rugby League Club was established over 20 years ago. It is a club with a great history—many premierships and semifinals. I took the opportunity to attend its sign-on day this year and it will have another very strong season fielding teams right through to the under 18 grades. Its director of coaching is Wayne Lord, who is again a very dedicated person and experienced junior coach and very committed to young players at the club. The Burpengary club has a very experienced and hardworking committee and there is a strong commitment of support from the local Burpengary community.

Motion agreed to.

The House adjourned at 10.00 pm.

