PROOF ISSN 1322-0330

WEEKLY HANSARD

Hansard Home Page: http://www.parliament.qld.gov.au/hansard/
E-mail: hansard@parliament.qld.gov.au
Phone: (07) 3406 7314 Fax: (07) 3210 0182

51ST PARLIAMENT

Subject **CONTENTS** Page

Wednesday, 24 November 2004

BY AUTHORITY
L.J. OSMOND, CHIEF HANSARD REPORTER—2004

WEDNESDAY, 24 NOVEMBER 2004

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

PETITIONS

The following honourable members have lodged paper petitions for presentation—

Medical Practitioners, Ingham Hospital

Mr Rowell from 3,963 petitioners requesting the House to investigate the failure of Queensland Health to retain doctors on a long-term basis at Ingham Hospital, with a view to expeditiously rectifying identified problems and maintain at least the current level of service.

Crown Land, Kewarra Beach

Mr Langbroek from 229 petitioners requesting the House to ensure the crown land in Brolga Close, Kewarra Beach is not sold for development but is retained for use for a primary school.

Speech Therapy, Mount Warren Park Special Education Development Unit

Mr Langbroek from 1,148 petitioners requesting the House to ensure that funding is immediately increased to ensure ongoing regular speech therapy is provided for all students at Mount Warren Park Special Education Development Unit.

Ferrets

Mr English from 7,989 petitioners requesting the House to amend the Land Protection (Pest & Stock Route Management) Act to allow ferrets to be kept in Queensland as pets.

Bribie Island Police Station

Mrs Carryn Sullivan from 2,864 petitioners requesting the House to consider a 24 hour police station at Bribie Island.

South-East Queensland State Forest Reserves

Mr Wellington from 1,001 petitioners requesting the House to make provision in the proposed new tenure for Forest Reserves in South East Queensland State Forests to have the already existing fire trails and tracks set aside as Conservation Park Corridors.

PAPERS

MINISTERIAL PAPERS TABLED BY THE CLERK

The following ministerial papers were tabled by the Clerk—

Minister for Child Safety (Mr Reynolds)—

- Response from the Minister for Child Safety (Mr Reynolds) to a paper petition presented by Ms Nelson-Carr from 68 petitioners regarding the practice of erasing biological parents' names from birth certificates.

Minister for Environment, Local Government, Planning and Women (Ms Boyle)—

- Response from the Minister for Environment, Local Government, Planning and Women (Ms Boyle) to Public Works Committee Report No. 86 titled The Great Walks of Queensland Project.

MINISTERIAL STATEMENT

Beattie Labor Government, Achievements

Hon. P.D. BEATTIE (Brisbane Central—ALP) (Premier and Minister for Trade) (9.33 a.m.): The past 10 months of this year have been a great success for Queensland. It has been 10 months n since the government was re-elected and so much has been achieved. I table the achievements of the last 10 months of the government for the information of members and shortly, Mr Speaker, with your approval, I will distribute a copy of that document to all members.

It is a snapshot. Put simply, it is unrivalled in this state's history. In short, it has been a phenomenal year of growth and success for this wonderful state of Queensland. We have delivered a record budget surplus of $3.43 billion; forecast strong surpluses going forward; delivered the lowest unemployment rate in 26 years—a trend rate of five per cent; maintained balance sheet strength and retained the AAA credit rating; created 93,000 jobs over the 12 months to October; accounted for 55 per cent of all full-time jobs in the country; accounted for 44 per cent of all jobs created in the country; Independent Productivity Commission reports Queensland has the shortest hospital waiting times; record recurrent spending in Health of $5.1 billion; delivered Queensland's first $6 billion capital works budget; record recurrent spending in Education of $5.7 billion; Disability Services has received $454 million and the new Department of Child Safety $269 million; boosted our roads budget by

eight per cent or $54 million; boosted our rail infrastructure by $150 million; boosted our port infrastructure by $223 million; announced an extra $1.1 billion in power generation—Kogan Creek; announced an extra $2 billion for electricity transmission and distribution networks; seen business investment grow by 5.1 per cent or $800 million in 2003-2004; seen manufacturing economic output increase from $9.3 billion in 1997-98 to $12.2 billion last financial year; since 1998 spent more than $2.4 billion on biotechnology, innovation and research and development; been the nation's best with school based apprenticeships and traineeships numbering 6,996; in October 2004 provided $120 million for new vocational education and training packages; and seen our population grow by 82,345 over the year to March. That is about the size of Mackay, which is 78,000, or Caloundra, which is 82,000. Of that increase more than 58,100 are from interstate or overseas. Export performance had merchandise increase by 29 per cent over the September quarter compared with the previous year—$16.5 billion worth of merchandise in nine months to September 2004, up from $14.9 billion in the previous year. We have continued a competitive tax regime. In other states citizens pay on average 27 per cent more in state taxes. We have delivered an additional $300 million per annum in tax concessions: abolished debit tax and credit card duty, reduced the rate of duty on general insurance and introduced stamp duty concessions.

The 51-page document is something we can all be proud of. I have tabled it and all members will get a copy of the document. I hope members will reflect on it. It shows not only that Queensland is the engine room of Australia but also that the Smart State strategy that the government initiated is working.

MINISTERIAL STATEMENT

Child Protection

Hon. P.D. BEATTIE (Brisbane Central—ALP) (Premier and Minister for Trade) (9.36 a.m.): Significant steps have been taken this year towards restoring community trust and confidence in child protection in Queensland through the staged development of a new and vastly improved system to protect our most vulnerable children and young people. We have been building a child protection system with a much sharper focus on the safety and security of children at risk.

Since January 6, when the Crime and Misconduct Commission delivered to state parliament its report containing 110 recommendations designed to herald a new era in child protection in Queensland, much has been achieved. Recruitment and selection processes are progressing for an additional 518 service delivery and support service personnel for the new Department of Child Safety over the next three years, of which 318 are to begin work by the end of next year.

So far, an additional 60 permanent child safety officers have been appointed through the national recruitment campaign and a further 60 officers have been converted from temporary to permanent appointment. A further recruitment round for child safety officers is being undertaken this month to target graduates leaving universities.

We are now faced with a massive increase in the number of reports of child abuse. They are up by 43 per cent on last year. This is obviously placing additional pressure on front-line staff. This is a very worrying, disturbing and disgraceful statistic if it reflects a massive increase in child abuse. What I think it probably reflects is a greater willingness for people to report suspected child abuse, and I think that that is a good thing. Certainly they are more willing to do that and that is a reflection of those numbers. While the number of cases is still a terrible blot on our society, the fact that more people are prepared to come forward is a welcome trend that means children's suffering is being cut short.

To deal with the increased number of cases, the Department of Child Safety is undertaking a workload analysis and its findings will be used to determine future front-line staffing requirements. The new departmental structure was launched on 23 July 2004 and is decentralised, with front-line services delivered through 46 Child Safety Service Centres supported by seven zonal offices.

Both the minister and I have promised that we would report regularly on what was happening in this department. I want to thank Mike Reynolds and Warren Pitt for the way that they have handled these reforms recommended by the CMC. Because of the importance of these reforms and the commitments I gave prior and subsequent to the election, I seek leave to incorporate full details of these reforms in *Hansard*. I urge members to read this document because we are serious about reforming this area and protecting our children.

Leave granted.

The structure provides additional Child Safety Service Centres in Townsville, Cairns, Rockhampton, Sunshine Coast, Brisbane North, Browns Plains, Ipswich and Toowoomba. The Gold Coast and Logan will each have an additional two service centres to cope with the rapid population growth in those regions.

The Child Safety Legislation Amendment Bill 2004 which I introduced in May and which was passed on 16 June, was the first major legislative milestone.

This legislation gives stronger support to the most vulnerable children and improves the accountability of Government and non-government agencies that deliver child protection services.

On 29 September 2004, the Minister for Child Safety Mike Reynolds introduced Stage Two legislative reforms into Parliament via the Child Safety Legislation Amendment Bill (No. 2).

These changes include:

- longer term machinery of Government legislation for the Department of Child Safety;
- mandatory reporting for nurses;
- legislating for a rejuvenated SCAN team system;
- disclosure of information to carers;
- duty of disclosure to departments and non-government organisations; development of case plans for children in care;
- submission of case plans to the court; and
- refining guardianship orders and short term protection orders.

This legislation also amends the Commission for Child and Young People and Child Guardian Act 2000 to extend the systemic monitoring function of the Child Guardian to include other Government agencies, namely the departments of:

Communities,

Queensland Health,

Education and the Arts,

Queensland Police Service,

Disability Services Queensland,

Queensland Treasury,

Housing,

Justice and Attorney General,

Aboriginal and Torres Strait Islander Policy, and

Corrective Services.

The bill was passed by parliament on 20 October and is due to come into force in April 2005 with the exception of mandatory reporting for registered nurses, which will start in August 2005.

The new Department of Child Safety was officially launched on 24 September, about six months after the release of the Blueprint and highlighted important achievements made by the Department and non-government sector partners to implement the child safety reforms.

On 20 September, a three-month pilot program to test the process for implementing a more child-focused and accountable Suspected Child Abuse and Neglect system began in Logan and Townsville.

A position of Child Safety Director has been established within each department identified as having a role in the promotion of child protection and the directors have been holding regular meetings.

These 10 Child Safety Directors have been appointed within the Departments of Communities, Queensland Health, Education and the Arts, Queensland Police Service, Disability Services Queensland, Queensland Treasury, Housing, Justice and Attorney General, Aboriginal and Torres Strait Islander Policy and Corrective Services.

From October 2004, the Commission for Children and Young People and Child Guardian’s Community Visitor Program started visits to children and young people living in foster care.

In the eight months since the Blueprint was delivered to government, the Department of Child Safety has fully implemented 19 recommendations. A further 6 have recently been passed by Parliament, delivering 25 of the CMC's recommendations.

Work is underway on most of the other recommendations and overall the implementation is progressing well.

The remainder of recommendations are on track to be implemented by January 2006.

Funds of $12.8 million have been allocated for 134 new and enhanced alternative care places for children and young people whose needs are so complex or extreme that they are not appropriately placed in conventional foster care.

The Queensland Government increased funding for foster carers in January with an interim across-the-board increase of $40 a fortnight.

Since July, foster carers who look after children and young people with high or complex support needs started receiving an extra $24 each fortnight to reflect the additional demands, and carers of babies aged up to 1 year received an extra $20 each fortnight.

The one-off establishment payment for foster carers increased from $200 to $375, and the start-up payment also increased from $50 to $60.

The Foster Carer Recruitment and Retention Initiative is recruiting a more diverse group of carers.

The first stage of the initiative involving a Foster Carer Information Kit was launched on 10 September, and is tailored to meet the needs of non-government foster care agencies.

The Department is committed to working with the community sector to progress child safety reforms.

The Statewide Child Protection Partnership Taskforce started in July and is meeting monthly to progress partnership arrangements between the Department and its key stakeholders with an interest in child protection service delivery.

On 17 November, the Acting Commissioner for Children and Young People and Child Guardian and I announced the membership of the Child Death Case Review Committee.

The Committee will begin its review meetings in February 2005 and will meet monthly.

This Committee will have the power to make recommendations to the Department of Child Safety to improve its services to children and their families and it must monitor the implementation of its recommendations.

In addition the Committee will have the power to recommend whether disciplinary action should be taken against any officers or employees of the Department of Child Safety.

The Department has also established the Advocacy and Monitoring Reference Group with representatives from a range of non-government organisations.

The group has had two meetings, with the third meeting planned for 29 November.

Terms of reference for the group are currently being finalised.

The Alternative Care Partnering Group, comprising key stakeholders and peak bodies, continues to meet regularly to progress reforms in alternative care.

For Aboriginal and Torres Strait Islander children and young people, the new Department of Child Safety will support Indigenous organisations via the Indigenous Support and Development Unit in Cairns, announced on 23 July.

The Indigenous Support and Development Branch has begun work on establishing the 23 new or expanded Aboriginal and Islander Child Care Agencies and provide support and resources to staff.

The Acting Director of the Indigenous Support and Development Branch started work in Cairns on 14 October.

A partnership led by the Queensland Aboriginal and Islander Health Forum, including all existing child care agencies, was formalised through the signing of a Service Agreement in September 2004.

The agreement will establish and support the ongoing operation of the Queensland Aboriginal and Torres Strait Islander Child Protection Partnership over the next 12 months.

The initial financial injection of $4.7 million in 2004-05 will help progressively fund twenty-three new or expanded child care agencies.

It is acknowledged that the implementation of the full range of reforms (and the resulting benefits to frontline service delivery) may take time.

However, the Department of Child Safety remains committed to progressing Blueprint Reforms as quickly as possible, to improve our response to the State's most vulnerable children and young people and ensure that children at risk from harm, abuse or neglect will be properly protected, cared for and supported.

And finally, yesterday Parliament passed the Commission for Children and Young People and Child Guardian Amendment Bill 2004 to make our blue card system for people working with children even tougher.

MINISTERIAL STATEMENT

Ireland, Trade Seminar

Hon. P.D. BEATTIE (Brisbane Central—ALP) (Premier and Minister for Trade) (9.40 a.m.): I want to deal with four matters involving trade. Firstly, the Queensland government is pro-actively maximising the natural business and trade synergies between Queensland and Ireland. Ireland and Queensland share a focus on smart knowledge based economic development, which is why I visited Ireland early this year. We both strive for excellence in information and communication technology, biotechnology, health infrastructure and export development.

Last week from 15 to 19 November, nine Queensland businesses spent five days on a Queensland government trade and investment mission to Ireland taking advantage of the opportunities as the country invests in massive infrastructure upgrades. These companies are among our smartest and finest—all suppliers of intelligent transport systems, transport infrastructure services, environmental management, urban design and engineering services and equipment. I thank Terry Sullivan for his support. I seek leave to incorporate more details in *Hansard*. I urge our Queensland companies to think about Ireland for trade.

Leave granted.

They include Mincom, iQR, Merlin Software, Cooee Products, APD/DHQ Partnership, Transtoll, ArchiCafe, Qantm Technologies and Kanga Equipment.

These firms embark on this mission after the highly successful Ireland Celtic Tiger seminar held on Monday 8 November.

The seminar was a Queensland Government initiative, in association with the Queensland Irish Association and Irish Business Association.

It was a magnet for more than 100 people from a range of industry sectors across South East Queensland.

Attendees were drawn from Queensland's smart transport infrastructure services, intelligent transport services, environmental management, engineering and project management services, training and education, mining and food.

The seminar gave them a valuable insight into where business opportunities were arising in Ireland.

At the seminar, Worley in Brisbane shared its experience in design and project management of the major upgrade to the Aughinish aluminium refinery in western Ireland.

Sinclair Knight Merz in Brisbane also told how it provided the major engineering work on the Luas Light Rail project in Dublin.

The Irish Government plans to spend 56 billion dollars on capital projects between now and 2008.

An added benefit of doing business with Ireland is that it is a member of the European Union so developing business partners in Ireland helps to export goods, services and expertise to the EU.

The Queensland Government has been pro-actively paving the way for strengthened trade and investment relationships with Ireland since I led a trade and investment mission there in 2000.

As a result of that mission, work started on drawing up whole-of-government trade agreement between Queensland and Ireland.

In 2002 the Queensland Government became only the second Government anywhere in the world to enter into such an agreement with Ireland.

In March 2003 we hosted a visit to Queensland by Irish President Mary McAleese.

And in March this year I led my second Queensland Government Trade and Investment mission to Ireland where I met with a number of key Irish Government officials in health, transport and finance.

By inspecting the Aughinish aluminium refinery and Luas Light Rail System, I saw just how Queensland smarts are being embraced in Ireland.

The Queensland Government is working hard to build on its strong relationship with Ireland.

We want to make sure Queensland firms are in the best possible position to get their share of Ireland's infrastructure boom.

MINISTERIAL STATEMENT

Middle East, Exports

Hon. P.D. BEATTIE (Brisbane Central—ALP) (Premier and Minister for Trade) (9.40 a.m.): It is important that I update members on the government's endeavours in an important emerging market for Queensland exports, the Middle East. We are maximising the opportunities for Queensland companies through a Queensland government representative in Doha, the capital of Qatar. This week the Minister for Education and her department signed an education agreement for the provision of services to the Middle East. This is an expanding area. I seek leave to advise the House of this by incorporating more details in *Hansard*.

Leave granted.

On 16 October, our Middle East Representative, Michael Otago, gave a presentation in Brisbane on the export opportunities for Queensland's construction and infrastructure companies.

An enthusiastic business audience heard very detailed information on two multi-billion dollar Doha projects: the International Airport and Education City.

Given the high level of business interest coupled with the government's commitment, it is not surprising that the Smart State is poised to dominate Australia's presence at BIG5 in Dubai.

Twelve Queensland companies plan to participate at BIG5 (at the Dubai International Exhibition Centre from 20 to 24 November 2004).

This event is the largest construction exhibition in the Middle East, a gathering of the cream of the global construction industry, and a place to share ideas and make valuable contacts.

The Smart State participants at BIG5 are Austral Bricks, Australian Panel Tanks, Boss Garage Door Operators, AV Syntec, Intralux, Kulak, Lumascape Lighting Industries, Miska, Osmotic, Paradise Timbers, Ramtaps and Watergates.

Some of them will then visit Doha to pursue business opportunities.

The companies will have the support of the Queensland Government, through the Business Manager for the Middle East from the Department of Premier and Cabinet, Mr Youhanna Yassa.

Mr Yassa will accompany the delegation and give valuable assistance.

Queensland's construction industry has gone from strength to strength in recent years, winning international contracts and gaining worldwide acclaim.

The government established a representative office in Doha this year to pursue opportunities in Qatar relating to the 2006 Asian Games and other opportunities in areas such as construction, marine and horticulture.

Queensland participation at expositions such as Big 5 and trade and investment missions to the Middle East will raise the profile of companies from Australia's Smart State, and generate exports and jobs for Queenslanders.

MINISTERIAL STATEMENT

China, Trade Mission

Hon. P.D. BEATTIE (Brisbane Central—ALP) (Premier and Minister for Trade) (9.41 a.m.): I also want to highlight what is happening in China. I am delighted to update members on recent successes for the Queensland coal industry in China. We often talk about the old silk road. I think we can forget about the old silk road. We are forging the Smart Road into China as Queensland businesses and the government accelerate the push into this booming market.

These achievements are projected to yield almost $60 million in exports and at least six companies will create 32 new full-time and one part-time job over the next 12 months. Regional Queensland—particularly Mackay—will be big the winner. Twenty-five Queensland representatives from 17 organisations travelled to China from 23 October to 2 November for the China Coal 2004 Mining Expo, for business meetings and a series of technical workshops on mine safety.

This followed a trade and investment mission I led in July, when I vigorously promoted Queensland coal in China, and signed a memorandum of understanding with the China National Development Reform Commission to jointly research the possibilities for more Chinese investment in Queensland minerals. Longwall and Associates representatives, who travelled with me in July, have now confirmed that they have secured business in the order of $23 million and will create 20 jobs over

the next year. There are more outcomes as a result of that trade mission. I seek leave to incorporate the details in *Hansard*.

Leave granted.

SIMTARS of Redbank has orders for approximately $1 million from a coal research institute in Fuxun in North Eastern China for gas monitoring and data interpretation equipment.

In July I also witnessed the signing of an initial Cooperative Memorandum of Understanding between North Mackay-based JSIS and Shandong Province Tiangong Electrical & Mechanical Company.

JSIS Engineering has now formally established the joint venture, with a 38% share in the $370,000 joint venture company.

It will supply anti-abrasion & corrosion coating services predominantly to coal mines and washeries.

The Managing Director of JSIS, John Shepherd, reports the joint venture has already confirmed contracts with Chinese users for anti-wear coating of conveyor belts in both Shandong & Shanxi Provinces.

Another Mackay company in the Mining Expo delegation, Callidan Instruments, estimates that product sales in China over the next two years will be in the order of $400,000, creating one job.

Anderson Group of Companies, also from Mackay, signed a formal agency agreement with the Yan Tai Jereh Equipment Group, to represent Anderson's range of flame proof alternators and underground roof bolting equipment in China.

This will create five jobs.

Emerald-based Central Highlands Safety Services is confident of creating 3 new positions as a result of negotiations with Chinese companies they met on the coal mission.

The University of Central Queensland will create one job as a result of its involvement in the mission, and Current Training of Rockhampton expects to employ two extra full-time workers and one part-time employee.

Brisbane-based ComEnergy, which travelled with me in July, signed an agreement with coal mines in the Henan city of Yima to sell three coal methane cogeneration units with a total value of $33 million.

While the contract is confirmed, the government understands the conclusion of the sale will depend on a number of Chinese government approvals.

Our Trade and Investment Office in Shanghai is assisting with government liaison in both Henan and Beijing.

Mechatricity, from Brisbane, markets a mining asset management software system that has already been sold to mines in China.

During this mission the company reached agreement with the China National Coal Research Institute to represent it to end-users in the coal mining industry.

It expects to soon sign a formal memorandum of understanding covering the sales agreement.

Leads were identified at two mines visited in Shanxi—Pingsuo and Yan-shan.

The Yan-shan opportunity has the potential to result in a sale of approximately $500,000 in management software, while the Pingsuo open pit mine deal will be in the order of $1 million to $1.6 million.

These success stories demonstrate how Smart State principles can transform a traditional industry such as mining—which now boasts many smart new service companies supporting highly skilled jobs.

The government's Trade and International Operations Division and the Trade and Investment Office in Shanghai are working solidly to help Queensland companies gain access to the China market.

MINISTERIAL STATEMENT

Japan, Trade Mission

Hon. P.D. BEATTIE (Brisbane Central—ALP) (Premier and Minister for Trade) (9.42 a.m.): Queensland, Australia's Smart State, and Osaka, Japan's biotechnology capital, make a great team. Our sister state arrangement has the potential to yield jobs for Queenslanders, especially in the field of biotechnology. The Kansai region, where Osaka is the major economic centre, has three bio clusters and a pharmaceutical manufacturing industry worth approximately $11 billion.

During my trade and investment mission to Japan in September, I met Governor Ohta of Osaka. Biotech was a focus of our discussions. At my invitation Ms Ohta attended AusBiotech 2004 in Queensland this month. Our talks in Osaka set the scene for a new education, research and industry partnership after Ms Ohta signalled that the highly regarded Osaka University of Pharmaceutical Sciences was keen to develop a relationship with Queensland.

I now report to members that, flowing from our discussions, the University of Queensland will exchange staff, students, research and resources with the Osaka University of Pharmaceutical Sciences.The exchange will begin in 2005, under an agreement enabling fourth-year University of Queensland School of Pharmacy students to study the quality-use-of-medicines issues in Osaka. The students will need a good command of the Japanese language. At the same time, one graduate student from the Osaka University will be able to study clinical pharmacy at the University of Queensland's School of Pharmacy. I congratulate both parties on striking this valuable agreement, which is yet another result of our vigorous promotion of the Smart State's capabilities through trade and investment strategies.

MINISTERIAL STATEMENT

Multicultural Initiatives

Hon. P.D. BEATTIE (Brisbane Central—ALP) (Premier and Minister for Trade) (9.43 a.m.): I have a couple of other matters I want to report to the House on. Firstly, I wish to report on the government's multicultural initiatives for November and December. My government is funding a number of initiatives in the community to encourage Queenslanders to embrace multiculturalism. Generally speaking, we have a very harmonious community in Queensland, but we need to keep working at discouraging racism in the workplace, in schools, on sporting fields and in the broader community.

In the face of the current global conflicts, we are even more determined to make multiculturalism, and the benefits of diversity, a priority in Queensland. As well as funding community based activities, we are implementing a number of projects through Multicultural Affairs Queensland to ensure that people, no matter where they live in the Smart State, have access to the latest information and advice on the benefits of cultural diversity. I seek leave to incorporate the details of this in *Hansard*.

Leave granted.

On Monday 29th November, from 5—7pm in the Ithaca Auditorium at Brisbane City Hall, Multicultural Affairs Queensland will host a free public anti-racism forum, with guest speakers including:

Dr David Hollinsworth, a leading academic and writing on multicultural issues;

Indigenous advocate Dr Evelyn Scott;

Adjunct Professor from Griffith University, Dr Raymond Evans; and,

The Director of the Centre for Multicultural and Community Development at the University of the Sunshine Coast, Narayan Gopalkrishnan.

On Tuesday 30th November and Wednesday 1st December, a forum will be held for multicultural workers from the community and all government sectors.

This free forum will be held at the Yungaba Conference Centre at Kangaroo Point, with presenters from the Human Rights and Equal Opportunity Commission, the Anti-Discrimination Commission Queensland, the Queensland Police Service and the Department of the Premier and Cabinet.

In December, community relations workshops and seminars will be held in Cairns (on the 3rd of December), Rockhampton (6th), Townsville (7th) and Mackay (8th), where there are significant populations of people from ethnic backgrounds.

These activities will promote the Multicultural Queensland Policy, the benefits of a culturally diverse workforce and community, and the need to ensure access and equity for all.

Working groups will be established out of this initiative in the four regional centres and these groups will work with the Multicultural Anti-Racism Reference Group, chaired by Multicultural Affairs Queensland.

We also want to ensure that emerging groups, such as the Sudanese in Cairns, Iranians in Townsville and Thai and Filipino groups in Mackay and Rockhampton, are properly supported and provided with easy access to government services.

MINISTERIAL STATEMENT

Centre for Multicultural Pastoral Care

Hon. P.D. BEATTIE (Brisbane Central—ALP) (Premier and Minister for Trade) (9.44 a.m.): I advise members that I have approved $300,000 for the Centre for Multicultural Pastoral Care to strengthen tolerance and help stamp out racism. I seek leave to incorporate the details in *Hansard*.

Leave granted.

The centre will work with 11 agencies throughout Queensland to educate the community, fund research and data collection, and improve the skills of community workers helping people who may experience racism.

To be the Smart State we must be inclusive and tolerant, and value the contributions of all our citizens.

The centre will work with and refer people to the Anti-Discrimination Commission, Multicultural Affairs Queensland, the Human Rights and Equal Opportunity Commission and the Commonwealth Department of Immigration, Multicultural and Indigenous Affairs.

The centre will develop partnerships with organisations such as banks, supermarkets, the real estate sector, churches and local councils.

This initiative will create jobs for trainers, and educate those people who need a better understanding that racism is damaging and unacceptable.

The government's position on racism is clear: people who discriminate or commit racial or religious vilification break the law.

This funding will help build our reputation as an increasingly diverse and tolerant society, where people from all over the world are welcome to live, work, visit, do business and invest.

MINISTERIAL STATEMENT

Premier's Awards for Excellence

Hon. P.D. BEATTIE (Brisbane Central—ALP) (Premier and Minister for Trade) (9.45 a.m.): Tonight is the night when our public servants are recognised for their outstanding leadership and for their contributions towards making the Smart State an even better place. The 2004 Premier's Awards for Excellence in the Public Sector Management are being held at the members' dining room at Suncorp Stadium.

Mr Mackenroth: Smart State, smart stadium.

Mr BEATTIE: That is right—Smart State, smart stadium. It is about recognising and rewarding staff who are prepared to go an extra mile to get a big job done better. I say to them well done. I seek leave to incorporate details in *Hansard*.

Leave granted.

While we will recognise excellence in their leadership we will also acknowledge that every facet of life in Queensland involves the public sector in one way or another.

The nominations for awards this year cover a great many outstanding achievements and their categories include:

- Building Queensland's Regions Award;
- Engaging Communities Award;
- Focussing on our People Award;
- Growing Queensland's Economy Award;
- Innovation and Creativity Award;
- Leadership Excellence Award;
- Partnerships and Reconciliation Award; and the
- Protecting the Environment Award.

It is a night to thank—not just those present—but all our public servants for all that they have done to make Queensland the Smart State that it is.

We can't do it without a smart Public Service.

I wish the finalists well and I thank the judges for managing the very difficult task of selecting the winners.

And special thanks also to the sponsors who include AAMI, The Mirvac Group and Toyota.

The support you provide clearly shows the private and public sectors can work together successfully to achieve and recognise excellence.

But most importantly I want to thank our public sector employees—for the commitment and hard work you have put into the projects and special events that make Queensland the Smart State that it is.

MINISTERIAL STATEMENT

Queensland Events Regional Development Program

Hon. P.D. BEATTIE (Brisbane Central—ALP) (Premier and Minister for Trade) (9.45 a.m.): I am pleased to report on the Queensland Events Regional Development program. I seek leave to incorporate details in *Hansard.*

Leave granted.

One of my government's greatest regional successes—has again delivered outstanding results for regional Queensland throughout 2004.

We have taken a strategic Smart State approach to Queensland's event economy development. Our aim has been to work hand-in-hand with organisations delivering the events that make our state a vibrant place to live, work and play.

Since 2001, more than 125 events have benefited from the program—showcasing their regions, enhancing the visitor experience and attracting and retaining valuable tourism dollars within their region.

The investment has proven so successful that my government has doubled our commitment, with more than $6million in event funding to be delivered to all corners of the state over the next three years.

The program has been expanded to include additional funding opportunities under new schemes—the Significant Regional Events Scheme and the Regional Events Innovations Scheme.

Next week, Queensland Events and Outback Tourism are joining forces to present seven free planning strategy workshops throughout the Outback that will assist event organisers interested in applying for this funding.

It brings the tally to 25 such workshops staged across the state during 2004.

Through events, Outback Queensland has the opportunity to showcase its uniqueness, talents and people to the world.

And, there are too many success stories to list them all. We assisted 42 events in 2004 and overwhelmingly these events are breaking record after record.

Some examples of the way the program has worked to assist events and regional tourism during 2004:

Peanut Festival (Kingaroy)—recorded a 75% increase in attendances over 2003 (up by 7000-8000 people). The Kingaroy Visitor Centre reported 495 visitors to the centre on the day—8 times the normal number of enquiries. (Average is 60 on normal day).

Gladstone Harbour Festival—the Gladstone Area Promotion and Development Ltd have reported a 102% increase in visitor numbers to the area over the previous Easter period.

The biennial Camp Oven Festival (Millmerran) attracted a record crowd of 4,000—a 60% increase over the last event staged in 2002.

The Carpbusters Eradication Festival on the Logan River (Beaudesert)—now there's an interesting event (unless of course you are a Carp). 1.5 tonnes were removed by around 1,700 anglers—an 80% increase in single registrations and a 36% increase in team entries over last year.

Gold Coast Bike Week—20,000 spectators and participants attended this motorbike festival—a 30% increase on 2004.

The Rathdowney Heritage Festival—5,000 attended—a 20% jump over last year

Ten Days in the Towers (Charters Towers)—recorded a 20% increase in bed nights in the region and the local Visitor Information Centre recorded 1100 enquiries compared to just 250 during the 2003 event.

The Hampton High Country Food & Arts Festival (Toowoomba & Golden West region)—doubled its attendances with an estimated 8,000 visitors in just its second year.

Sportsfest (Cairns)—a 36% increase in registrations in is 2nd year. (It grew by 400 registrations to 1100 including interstate and international entries).

Caboolture's famous medieval festival, the Abbey Tournament, recorded 20% growth in crowd numbers and attracted extensive publicity. The inaugural Urban Country Music Festival was a huge success, returning an estimated $2 million to the community according to the Caboolture Shire Council.

Mackay Festival of the Art grew 30% in attendances while sponsorship income doubled over last year.

Childers Multi Cultural Festival returned 1455 visitor nights for the region

Noosa Longweekend had 30% more performances, ticket sales were up 50% and visitors from outside Noosa accounted for 40% of attendance over the 10-day program.

This rich offering of events and celebrations across the state nurtures local economies and gives them welcome additional vitality.

I look forward to announcing the next round of successful events (some 40+ events) in coming weeks.

MINISTERIAL STATEMENT

Lake Kawana

Hon. P.D. BEATTIE (Brisbane Central—ALP) (Premier and Minister for Trade) (9.45 a.m.): I also recently opened with the Minister for Emergency Services, Chris Cummins, the new development at Lake Kawana, which the government has supported. I seek leave to incorporate details in *Hansard*.

Leave granted.

I was pleased last Friday to officially open the latest attraction on the Sunshine Coast, Lake Kawana.

The 2.5-kilometre man-made lake is a tremendous boost to the regions stock of high quality, recreation facilities.

It will offer fun for the whole family as well as being a great venue for a range of national, state and local canoeing, kayaking and rowing events.

The developer, Lensworth Kawana Waters, plans to encourage club and school involvement in using the lake, as well as opening up training and competition opportunities for amateurs right through to the elite athletes.

Lake Kawana holds around the same volume of water as 6,300 Olympic swimming pools. The average depth is 4.6 metres.

I am very pleased that my Government has played a critical role in helping develop the facilities at Lake Kawana and Quad Park.

Through the Department of Local Government and Planning we've provided $1.71 million towards the East Bank Community and Arts Centre at Lake Kawana.

This offers another dimension to the choice of attractions available for local residents and visitors.

Through the Department of Local Government and Planning Regional Centres Fund we have provided $2 million towards the development of the Sunshine Coast Outdoor Stadium at Quad Park.

The stadium will give Quad Park an international profile as a centre for international sporting events, entertainment and recreation and that's a great add-on for the Sunshine Coast region.

A further $440,000 was contributed through the Department of Sport and Recreation to the development of new playing fields, which are ready for the 2005 football season.

In addition, building the Kawana Way was a $23 million State Government and private sector collaboration between the Department of Main Roads and Lensworth Kawana Waters.

These have been good Smart State investments in one of our rapidly growing regions.

MINISTERIAL STATEMENT

100 Club

Hon. P.D. BEATTIE (Brisbane Central—ALP) (Premier and Minister for Trade) (9.46 a.m.): Being 100 plus puts one into an elite group in Queensland. In fact, it puts one into an elite group anywhere. But

today we set aside this day at parliament to recognise those in this state who have topped the triple figure milestone. When the invitations went out for this event, there were 142 Queenslanders aged 100 or over. That does not include you and I, Mr Speaker. Not all of them will be here, but we are expecting 20 or so with one person even coming from Melbourne to be here.These people are a credit to themselves and to Queensland. I also want to thank their carers and relatives for getting them here.

Sadly, this year we lost two regulars from these lunches: Connie Gibson and Ted Smout. Ted was Queensland's last remaining World War I veteran. At his funeral, I told the story of what happened with Ted at this lunch in 1998. It was a very hot December day and Ted was just a few weeks away from turning 101. Ted arrived at the lunch on foot. He had walked by himself all the way across town from Central Station. He was a great man and he loved this day.

Today, I will also present awards in recognition of the tremendous service given by the wonderful volunteers in the Queensland Community Care Network. I have great pleasure in presenting 10-year service awards to Mrs Ellen Crawley, Mrs May Hamer, Mrs Leigh Chimes and Mr Warren Rees and also the 100 Club founder, Ann Kerr.

MINISTERIAL STATEMENT

South-East Queensland Regional Plan

Hon. T.M. MACKENROTH (Chatsworth—ALP) (Deputy Premier, Treasurer and Minister for Sport) (9.47 a.m.): The response to the Beattie Government's draft south-east Queensland regional plan has been fantastic. People have shown a real interest in the plan and appear eager to have their say on the future of this wonderful region. To date, 1,470 people have attended the first of six scheduled public information sessions. Four hundred attended the first session at Brisbane City Hall on Saturday, 6 November, followed by 330 at Kedron-Wavell Services Club the following Monday, 8 November. The Caboolture RSL session on Wednesday, 10 November drew a crowd of 210 people and further up the coast last Tuesday, 16 November, the Maroochy River Coach House had 190 people in attendance.The following night, 100 people attended the session at the University of Queensland's Gatton campus. At Maleny showgrounds on Thursday, 18 November there was a crowd of 245.

Another will be held tonight, Wednesday, 24 November, at Griffith University, Nathan campus, and tomorrow night at Ipswich Civic Centre. The final public information sessions will be held at the Gold Coast Convention Centre next Monday; Capalaba Place on Wednesday, 1 December; Springwood Community Centre on Wednesday, 8 December; and Beaudesert Shire Hall on Tuesday, 14 November. In addition, many have already decided to put pen to paper and have their say. In fact, 366 submissions have so far been sent to the office from all corners of the region and we still have more than three months to go before the 28 February deadline.

More than 200 people have completed the online consultation form. Some 80 formal submissions have been emailed and 60 have been posted. Each submission will be acknowledged and considered before the draft plan is finalised and implemented in June next year. The high attendance and feedback figures and the enormous level of web site visits and emails the Office of Urban Management has received shows that the community cares deeply about the region we live in and has strong opinions about its future. I welcome the attention and the criticism as I welcome each and every resident's opinions about how we can responsibly manage growth in south-east Queensland. I have to say that the intense scrutiny was exactly what I was hoping for and expecting from the people of south-east Queensland.

But I would like to respond to one notable criticism of the draft plan. There have been suggestions that the draft plan does not go far enough in that it does not address more local issues such as busy local streets, traffic congestion in local neighbourhoods or specific projects on smaller properties. In other words, there appeared to be an expectation that the draft plan would hold all of the answers for every suburb or area in every regional centre. I must stress that the regional plan was never intended for this purpose. It is not about local planning. It is about planning on a regional scale, ensuring that we achieve the broader objectives such as supplying enough land for future settlement and protecting our treasured regional landscape so that south-east Queensland does not turn into one huge sprawling metropolis. That is why the individual planning schemes of each council in the region still apply and are still relevant. They will be required to comply with the regional plan, but it is still very much a partnership between the state government and the 18 local governments in south-east Queensland. Through this partnership and the community's feedback, we can build an exciting future befitting of this unique part of the world.

MINISTERIAL STATEMENT

Schools of Distance Education

Hon. A.M. BLIGH (South Brisbane—ALP) (Minister for Education and the Arts) (9.51 a.m.): When distance education students switch off their HF radios at the end of this term, it will signal the end of both the school year and the end of an era in Queensland's education system. Since the establishment of Queensland's first School of the Air at Cloncurry in 1960, the hiss and crackle of HF radio has long been associated with the provision of on-air lessons for isolated students. From 2005 the reception and audio quality problems associated with HF radio teaching will be a thing of the past, with the completion of the Queensland government program to transition all schools of distance education from HF radio to telephone teaching. This year schools of distance education in Cairns, Charters Towers, Capricornia and Charleville have been delivering scheduled lessons by telephone. Next year the remaining two regional schools of distance education at Mount Isa and Longreach will join them in providing on-air lessons using the new technology.

Longreach will make its final HF radio broadcast on Monday, 29 November. To mark this event, the school will hold a special Christmas concert and has invited past students to call in. Qantas pilots from around the world will also be calling the school as part of this special occasion. The final sign-off and disconnection will be performed by the first president of the school's P&C and the first student captain of the 17-year-old school. Mount Isa will broadcast its final lesson on Friday, 26 November. The entire school community and past students and teachers have also been invited to be part of an 'Over and Out' party in the school grounds on Wednesday, 1 December, to mark the end of 40 years of radio teaching in Mount Isa. Students of the Brisbane School of Distance Education, which was not set up to provide HF radio, will also benefit from improved communication through telephone teaching.

About 1,100 students who study through the schools of distance education because of isolation or medical reasons will benefit from our government's $1 million investment in this technological change. The move to telephone teaching has dramatically enhanced the opportunity for student and teacher interaction. Teachers using the new technology have reported that they are achieving significantly improved learning outcomes during lesson time than was ever possible with HF radio. Telephone teaching enables classes to break into small groups to provide improved opportunities for discussion and debate. Students taking subjects that rely on high-quality audio interaction such as languages other than English, reading and music will benefit the most. The completion of the transition from HF radio to telephone teaching is a very important milestone in the history of distance education in Queensland. I am very proud of our government's commitment to children in the bush and to ensuring that they have access to the best possible education. I know that members on both sides of the House will join me in wishing those students and their families all the best as they make this next step into their future.

MINISTERIAL STATEMENT

Australian Training Awards

Hon. T.A. BARTON (Waterford—ALP) (Minister for Employment, Training and Industrial Relations) (9.53 a.m.): I am pleased to report another outstanding result for Queensland in the prestigious Australian Training Awards held in Melbourne. I was delighted to be at the Crown Entertainment Centre last week to applaud Queensland finalists, who took out two of the competition's 10 major awards as well as two of the seven industry awards. This is the sixth successive year that our state has won several major awards and the fifth year in a row that a Queensland business has taken out the Small Business category. Queensland's cream of the national vocational education and training crop are Brendan Bishop of Mackay, the Aboriginal and Torres Strait Islander Student of the Year; and Mad About Plants of Edmonton near Cairns, named the Prime Minister's Small Business of the Year.

Brendan Bishop recently gained a certificate III in engineering electronic security and works for a Mackay security firm. Brendan hopes to eventually establish his own security business and pass on his enthusiasm for electronics to younger members of the community, including participants in the local indigenous youth employment scheme. Mad About Plants is a wholesale nursery with clients ranging from Thursday Island to the Gold Coast and as far south as Canberra. Owners Katherine and Darryl Madder encourage staff to engage in training programs. Over the last 18 months the company's sales manager has completed a Diploma in Production Horticulture, the office manager a Certificate of Office Administration, six nursery hands are doing a certificate III in horticulture, and two new employees are doing a certificate II in horticulture.

In the industry awards our champions are the Greenslopes Private Hospital, which took out the Community Services and Health Industry Award, and Boss Homes of Nerang, judged tops in the construction and property services industry. Queensland's continuing success in these awards

illustrates why our training systems produce more highly skilled Queenslanders and more jobs, energising the state in cities and regions alike.

MINISTERIAL STATEMENT

Queensland Health Strategic Plan; Royal Flying Doctor Service

Hon. G.R. NUTTALL (Sandgate—ALP) (Minister for Health) (9.56 a.m.): In August this year the Premier and I launched the new Queensland Health strategic plan in which we outlined where we need to go with health care and health services in Queensland. A key linchpin of that plan is to further build our partnerships with other health providers to ensure the best possible health service is delivered to Queensland, and that is what we are doing with the Royal Flying Doctor Service. Just last week I learned first-hand the outstanding work done by the Royal Flying Doctor Service as I accompanied it on a clinic run to Kowanyama and Pormpuraaw. I was amazed but not surprised by the professionalism and dedication of these fine health professionals.

This year Queensland Health has provided a total of $38 million to the Royal Flying Doctor Service to deliver health care services around the state. Of this record funding, $24 million is to replace three older aircraft with new fixed-wing aircraft. Three state-of-the-art Beechcraft B200 Super KingAir twin engine aircraft will replace the Royal Flying Doctor's ageing aircraft based in Brisbane, Rockhampton and Townsville. These planes will give a new lease of life to an organisation that since 1928 has brought emergency medical aid, health care and community service to people who live, work and travel across a huge area 24 hours a day, seven days a week, 365 days a year. The fully pressurised aircraft will enable patients to be flown at the equivalent of sea level, an essential requirement in the treatment of many serious injuries. A neonatal unit can also be carried for emergency care of babies.

The aircraft will be used for emergency retrieval work and hospital to specialist hospital transfers and will be delivered next month. In addition, the Royal Flying Doctor Service retrieval service will receive over $8 million to assist in the coordination and integration of a statewide network of aeromedical aircraft that will cut patient waiting time to a minimum. The organisation's traditional services will receive $4.9 million this year to provide a range of health care services to rural and remote communities. Another $650,000 is being used to provide additional medical staff in the Rockhampton Hospital Emergency Department as well as assist with emergency retrievals and interhospital transfer services, and $180,000 has been allocated to the Rural and Remote Women's Health Program.

From its bases in Brisbane, Mount Isa, Cairns, Bundaberg, Townsville and Rockhampton, the Royal Flying Doctor Service reaches out to people all the way from the Northern Territory and South Australian borders in the west to the Torres Strait in the north. The Queensland Health-Royal Flying Doctor Service partnership is evidence of this government's commitment to build in conjunction with other health sector agencies a health system that ranks among the best in the world.

MINISTERIAL STATEMENT

Queensland Police Service, Capital Works

Hon. J.C. SPENCE (Mount Gravatt—ALP) (Minister for Police and Corrective Services) (9.59 a.m.): For the past six years the Beattie government has been increasing police numbers by about 300 per year. There are currently 8,816 police in Queensland and we will now exceed our target to have more than 9,150 police throughout the state by September next year. Many of these officers have the benefit of working in modern, functional offices and stations. However, a consequence of the Beattie government's commitment to increasing police numbers across Queensland has been overcrowding in some stations. Other stations are showing signs of age or are outdated for modern policing needs. This is something that I, as Police Minister, am determined to address.

In the past year almost $26 million worth of capital works projects have been completed, including new stations at Mundingburra, Childers, Loganholme and Sherwood; the fit-out of the City Police Station; stage 2 of the Toowoomba Police Station redevelopment; and police beats at Buderim, Kawana Waters, Highfields and Springfield. Security upgrades worth almost $500,000 have been completed at the Bundaberg, Cairns and Mackay watch-houses, and the $3.55 million Richlands Watch-house project was completed in August. It will be my pleasure next Tuesday to join the member for Hervey Bay at the opening of the redeveloped $1.7 million Hervey Bay Police Station.

Mr McNamara interjected.

Ms SPENCE: Very good. In addition, there are currently 14 police stations, watch-houses, police beats, and training and accommodation facilities valued at more than $15 million under construction and at least another $41 million worth of projects are in the design stage. While we have been improving our

stations and housing, I realise much more needs to be done. New stations are currently being built at Pomona and Ravenswood while construction of stage 3 of the Toowoomba Police Station is also under way and work on the temporary Coolum Police Station is due to be finished by December 2005. I thank the member for Noosa for her constructive lobbying in that regard. The construction of a new watch-house at Caloundra has also begun. In addition, construction of a replacement police station and watch-house at Ingham is expected to commence in December 2004 and tenders are soon to be called for stage 2 of the Redland Bay Police Station and for a replacement police station at Sarina.

Mr English: Hear, hear!

Ms SPENCE: I acknowledge the member for Redlands, who talks to me frequently about police facilities.

Mr Johnson: You haven't mentioned Longreach yet, Judy.

Ms SPENCE: The member can be assured that police beats and police houses in the electorate of the member for Gregory are receiving prompt attention from this minister.

Mr Johnson: Is that headquarters?

Ms SPENCE: We can talk about that at another stage. Planning for new police stations at Tin Can Bay, Halifax, Stafford, Mackay's northern beaches, and Southport is well under way with construction scheduled to start in the first half of 2005. The need for these new or upgraded facilities has been identified by the Queensland Police Service, the Queensland Police Union and me. I have visited more than 60 police stations since being appointed minister in February, including the Caboolture Police Station, which I found was in urgent need of an upgrade.The first stage of the $1.5 million refurbishment of the Caboolture Police Station is on target to be completed this financial year. Upgrades are also guaranteed at the Burketown, Moura, Gordonvale and Cloncurry police stations.

I am continuing to talk with the commissioner and the Queensland Police Union to develop a medium- to long-term strategy to get our older infrastructure up to scratch. That includes not only stations but also housing. I am determined to develop a policy that ensures that our officers in remote and regional areas live in houses that are comfortable and secure. The Beattie government is clearly committed to a program of infrastructure renewal. I look forward to advancing this program during 2005 and continuing to work in partnership with police and the Queensland community.

Mr SPEAKER: I welcome to the public gallery students and teachers of Kandanga State School in the electorate of Gympie.

MINISTERIAL STATEMENT

Legal Services Commission

Hon. R.J. WELFORD (Everton—ALP) (Attorney-General and Minister for Justice) (10.03 a.m.): It is now 12 months since parliament approved our government's historic reforms to the regulation of the Queensland legal profession. A focus of these reforms was the establishment of a new complaints and discipline regime to bring greater independence, accountability and transparency to the regulation of the legal profession. I said at the time that anyone who had a concern about the actions or behaviour of a lawyer would be able to take their complaint to an independent umpire.

The Legal Services Commission was established from 1 July this year to receive and manage all complaints. It has wasted no time in getting on with the job. To the end of October, the commission has received almost 900 inquiries and 540 complaints. It is also responsible for five prosecutions. Under the new regime, the Legal Services Commissioner decides what action needs to be taken about a complaint and whether disciplinary action is to be taken against a lawyer. Serious matters, which could involve a lawyer being struck off or suspended, will be heard by a Legal Practice Tribunal, while a separate Legal Practice Committee will hear minor charges of unsatisfactory professional conduct.

Last week, the Governor in Council approved my appointments to both the tribunal and the Legal Practice Committee. The tribunal will be chaired by a Supreme Court judge and assisted by a professional and a panel of lay members. The Chief Justice, the Honourable Paul de Jersey, has informed me that he will assume responsibility as the initial chair of the tribunal. This is entirely appropriate, given the importance of the tribunal's role. I am most grateful to His Honour, the Chief Justice, for his keen interest in taking a leadership role in establishing the standards that will set the path for future determinations of this tribunal. I am pleased to advise that some of our very best legal practitioners have also accepted roles as members on the Legal Practice Committee as well as on the tribunal. The chair of the Legal Practice Committee will be Mr Peter Cooper, a senior partner and divisional head of Hunt and Hunt Lawyers since 1980.

Last Thursday, I opened the Legal Service Commission's new Brisbane office at 307 Queen Street and launched its new web site. The new web site means that legal consumers all over Queensland now have easy access to information about the commission and what it can do for them. It

provides legal consumers with an easy-to-use yet comprehensive resource for obtaining information about the complaints and disciplinary process in relation to lawyers. The web site also contains a complaints form that can be downloaded for anyone who wishes to lodge a complaint.

It is only early days in terms of the Legal Services Commission and the new regime, but I am pleased that the changeover has been smooth and that a new level of protection is being afforded to Queensland legal consumers throughout Queensland.

MINISTERIAL STATEMENT

Roads Implementation Program

Hon. P.T. LUCAS (Lytton—ALP) (Minister for Transport and Main Roads) (10.07 a.m.): The recent Queensland infrastructure report card from Engineers Australia noted that Queensland controlled roads were better than Australian state controlled roads generally. It also said that Queensland had consistently invested a larger share of gross state product on roads than any other state of Australia—more than New South Wales, Victoria or Western Australia. The *Courier-Mail*'s Roads Solution Report, which I endorse to members as quite a good read, recorded that in 2001 Queensland spent nearly double the money on state controlled roads than Victoria did—$830 million versus $431 million—despite having a significantly smaller population.

Opposition members interjected.

Mr LUCAS: The members opposite should just listen. Per capita in 2001, Queensland spent 2.5 times more than Victoria did and one-third more than New South Wales did. Nonetheless, no-one disputes that we have to build more and better roads in Queensland. Our tearaway population growth means that we have to work hard to ensure that our roads can keep up with the ballooning demand.

That is why I am delighted to inform the House of our record of records, five-year funding under Main Roads' recently released Roads Implementation Program, or RIP. From 2004-05 to 2008-09, we are injecting an unprecedented $8 billion into roadworks. That is a massive $2.1 billion—or 36 per cent—funding increase on last year's RIP for safer, new and better Queensland roads. It includes 673 new road projects over the next two years alone; a record total of 22,600 jobs, including 5,100 new jobs and 17,500 continuing jobs for Queenslanders; $1.7 billion extra, or an 87 per cent funding increase, for south-east Queensland in line with needs identified in the draft SEQ Regional Plan—and we have not even seen the infrastructure plan yet, which will come out next year with even bigger and better undertakings; and a big increase for rural and regional Queensland of some $430 million over the five years.

Prominent new funding under RIP includes $5 million for major traffic studies for the proposed western bypass of Brisbane. A further sign of our commitment to planning for growth is a $300 million allocation to upgrade sections of the Pacific Motorway between Tugun and the Gateway Motorway and requiring the federal government to match those funds. Other prominent projects funded in the RIP include the Tugun Bypass, the Springfield to Ripley road, the four-laning of the Sunshine Motorway, the Yeppoon bypass, the Stuart bypass at Townsville and the Flinders Highway between Torrens Creek and Cloncurry.

Dr Flegg: What about Moggill Road?

Mr LUCAS: The honourable member cannot have read the RIP, because if he had he would clearly understand that it is funded and will be completed when indicated, as per what the government said.

Dr Flegg: It has been there since 1977!

Mr LUCAS: We do not want to talk about you—

Mr SPEAKER: Order! We will not enter into a debate. Minister, will you continue with your statement.

Mr LUCAS: We do not want to talk about the member and Crikey and media releases, and the member for Caloundra and Crikey—the tick-and-flick Liberal Party roads media release: depending on where you live, just insert the variables. That is what the Liberal Party got caught out with. We thought the Nationals were lazy, but the Liberal Party is worse.

The RIP consists of $6.3 billion in state funding and $1.67 billion from the Commonwealth for roads on the national transport network and for black spots. I will actually be meeting the federal roads minister again on Friday. I spoke with him and the federal transport minister last week and the week before that. We will cooperate with the Commonwealth government on this. We recognise the money it is giving us. We need more, and we will work cooperatively to get more. I have spoken with a number of members of the opposition about that, including the members for Toowoomba South and Gregory.

Queensland's extra $1.1 billion includes $301 million announced in the state budget to meet election commitments and $571 million from the arterial roads infrastructure package. Queensland is in road building overdrive. We are getting stuck into building new roads and upgrading and maintaining our existing roads. Record numbers of graders and bitumen laying machines will get on with the job of providing smart roads solutions for the Smart State. This year's RIP provides a huge shot in the arm for roadworks in Queensland. Even Engineers Australia should concede that we are rolling up our sleeves and getting on with the job.

MINISTERIAL STATEMENT

Aboriginal Cultural Heritage

Hon. S. ROBERTSON (Stretton—ALP) (Minister for Natural Resources and Mines) (10.11 a.m.): All members will recall that in September the Minister for Education and the Arts told the House about the new Australian-UK film production *The Proposition*, which is due to finish filming in Winton in early December. I am pleased to say that the film marks a milestone not just for the Australian film industry but also for the protection of Aboriginal cultural heritage in Queensland. This is the first major film production to come under the Aboriginal Cultural Heritage Act, which came into force in April to protect cultural heritage and encourage land users to respect the rights and ownership of traditional owners to the land's cultural heritage.

The film-makers entered into a cultural heritage management plan for location filming which has set a benchmark for all industries that operate on our land and sea. Before filming began, the film-makers consulted with the Marawal Karulli people, the land's traditional owners, about the locations they wanted to use, and an archaeologist reviewed the proposed locations to assess their cultural heritage value and then drafted a plan which included ways to work around and protect sensitive sites.

The plan, which was agreed to by the traditional owners, set out in detail how significant and sensitive sites should be treated. It provides a model for how to work with and around culturally significant sites. For example, when an artefact scatter was found next to the set of the fictional town, it was protected by building a fence around it to look like a cattle yard, allowing filming to continue while the site was protected. Under the plan the traditional owners held inductions for the cast and crew, including setting aside time with the main cast for one-on-one briefings about heritage issues. As filming progressed, the traditional owners oversaw the project and advised the producers about specific issues.

Queensland's laws place a duty of care on all land users to protect areas and objects of significance to Aboriginal people, and the positive reports back from Winton indicate that the film-makers there met and exceeded the terms of the law. My department has now commissioned a short documentary about how the area's cultural heritage was protected and respected while the film was made. This will be a valuable tool to educate and inform the community of the importance of our cultural heritage laws.

This film has delivered major benefits not only for Winton but for all of Queensland through the first cultural heritage management plan that joins the needs of modern film-making with the ancient culture of our Aboriginal people.

MINISTERIAL STATEMENT

Property Agents and Motor Dealers Act

Hon. M.M. KEECH (Albert—ALP) (Minister for Tourism, Fair Trading and Wine Industry Development) (10.13 a.m.): The Beattie government, in providing a regulatory framework and environment which foster a fair and competitive marketplace, ensures Queensland is at the forefront of consumer protection. Queensland already has an impressive consumer protection regime for the property and motor vehicle industries, provided by the Property Agents and Motor Dealers Act 2000. When the act was introduced in 2001 the government gave a commitment that it would be reviewed at an appropriate time to allow stakeholders to have meaningful input and to provide feedback about its effectiveness. A commitment was also given that the outcomes of the review process would be tabled in parliament.

On becoming Minister for Fair Trading earlier this year I directed the Office of Fair Trading to complete the review as a priority. I am pleased to inform honourable members that the review is now complete. I seek leave to table a report on the review outcomes.

Leave granted.

Ms KEECH: The review concluded that PAMDA provided high levels of consumer protection and promoted best practice across a range of industries. These findings have been confirmed by independent marketplace research. After considering the outcomes of the review I proposed a number

of additional consumer protection measures as well as initiatives to enhance industry performance and technical amendments to the act.

Major recommendations include toughening the law to crack down on 'funeral chasing' real estate agents and those who harass the public in seeking listings; strengthening legislation to combat the real estate practice of 'bait advertising' and misrepresentation of selling prices to gain agents listings; making it mandatory for auctioneers to verify the identity of and to register all bidders at an auction and to identify vendor bids to other bidders at the time the bid is made; improving real estate agents' conduct in relation to residential tenancy databases; requirements for agency trust accounts and audit reports to be enhanced; a trainee registration system for real estate and motor trades salespeople to improve employment prospects and industry standards; and preventing restricted letting agents locking out other agents from unit complexes.

Other recommendations include significantly increasing penalties for unlicensed motor dealing; requiring motor dealer applicants and renewal applications to provide proof of local government approval for business premises; and motor dealers to be able to nominate a nearby warranty repairer in instances when the vehicle is further than 200 kilometres from the dealer's place of business.

I am pleased that the recommendations contained in the report will strengthen Queensland real estate and motor vehicle consumer regime and ensure that we remain at the national forefront of consumer protection. The recommendations will also streamline the regulatory framework and provide more certainty for traders and others licensed under the Property Agents and Motor Dealers Act 2000. In doing so, the Beattie government continues to deliver Smart State consumer protection for the people of Queensland.

MINISTERIAL STATEMENT

Horse Riding Trails

Hon. D. BOYLE (Cairns—ALP) (Minister for Environment, Local Government, Planning and Women) (10.17 a.m.): Yesterday a new partnership was forged between the government and the horse riding community. At a meeting held here at Parliament House, the Premier and I agreed with a deputation of horse riders to work together over the next 12 months to identify a new permanent network of horse riding trails for south-east Queensland. From Gladstone to the Gold Coast and west to Wondai, local experts and I will sit around a table together and map, area by area, the trails for horse riding for the decades to come.

Horse riders at yesterday's meeting told the Premier and me of their concerns at the potential impacts of the government's decision to create new national parks and conservation parks in areas across south-east Queensland. Indeed, I understand their fears. There is no doubt that these are significant and important changes. But in actuality little will change for most horse riders when these new national parks and conservation parks are gazetted in the middle of next year. That is because we have listened to the horse riding community. Yesterday's agreement means that we will continue to listen.

We have ensured that 7,000 hectares of those targeted for changed tenure will become conservation park, and horse riding is allowed in conservation parks. It is not allowed in national parks. That is why we have created a new land tenure—national park recovery—to allow horse riding to continue as it does now for a further nine years. Over this time we will consolidate our understanding of current horse riding patterns, identify new opportunities for new trails and make them a reality.

Horse riders should know that the government's decision will see horse riding allowed in the Brisbane Forest Park and in a range of new conservation parks such as Nerang Conservation Park near the Gold Coast, Parklands Conservation Park in the Sunshine Coast hinterland, King Conservation Park west of Gympie, Samford Conservation Park on Brisbane's outer northside, and Daisy Hill Conservation Park in the Redlands and Logan area.

Notwithstanding the multitude of horse riding opportunities that remain, I still make the point that the creation of these national parks is vital to the preservation of these forests. Members of this House are well aware of the high level of public debate about the need for us to protect in perpetuity open space for south-east Queenslanders. This is especially important in our high-growth climate. We are determined to protect land with high conservation values. That means no horses, no cows, no cats, no dogs or any other non-native animal. This has been the case, I remind honourable members, since Queensland's very first national park was established in 1908.

These are very special places—unique in Australia and the world. In Queensland, our national parks represent just four per cent of our land mass. They have levels of biodiversity that are unparalleled. The south-east Queensland bioregion is the third most diverse in all of Australia—after the Daintree and the south-west of Western Australia. These forests contain some of the oldest species and land masses in the world, containing remnants from past climatic eras. The horse riders' view is

important, but it is just one point of view. What we are working towards is achieving a balance between horse riding and protecting these magnificent places for future generations for all time.

MINISTERIAL STATEMENT

Fire Trucks, Arson Stickers

Hon. C.P. CUMMINS (Kawana—ALP) (Minister for Emergency Services) (10.21 a.m.): At 2 p.m. today at Parliament House I will launch an important new initiative to stamp out arson. I will put Queensland's first 'Stamp Out Arson' sticker on a fire truck. These bright, reflective stickers urge the public to stamp out arson and call the free call Crimestoppers number 1800 333 000 so that we can stamp out firebugs.

Opposition members interjected.

Mr CUMMINS: Early in the new year my son will turn six. It is a big achievement for him. He is very proud to turn six. I do not know about you, Lawrence.

This initiative is a combined effort of the Queensland Fire and Rescue Service, the Queensland Police Service and Crimestoppers Queensland. Queensland police arson officers and the QFRS's fire investigators have worked closely together for many years, providing expert advice at fire scene examinations across the state. This 'Stamp Out Arson' initiative is the latest collaboration between the agencies aiming to reduce the impact arson has on the community. It is always important to remember that people lighting fires can and do endanger lives, not only the lives of property owners but also Emergency Services staff and volunteers as well—firefighters, ambulance and police officers and other volunteers on the front line.

The public plays a crucial role in helping police and fire investigators fight arson. Over the years, calls to Crimestoppers from members of the public have resulted in a number of people being charged with arson related offences. There are tough penalties for arson, and this government will have no hesitation in applying them. Sadly, it seems that some misplaced individuals believe lighting fires is fun, but it causes heartache for those whose property is damaged or those whose lives the damage impacts.

Lighting fires is no prank, especially with the dry conditions many parts of Queensland are still facing. Arsonists cause huge emotional trauma as well as economic and environmental havoc. The 'Stamp Out Arson' stickers, which urge the community to call Crimestoppers on 1800 333 000 to provide information on arson, will be introduced to the state's fleet of fire trucks in the coming weeks.

SITTING HOURS; ORDER OF BUSINESS

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

That so much of the standing and sessional orders be suspended as to enable the Transport Infrastructure Amendment Bill to pass through all of its remaining stages at this day's sitting.

Motion agreed to.

NOTICE OF MOTION

Disability Services; Endeavour Funding

Mr SPRINGBORG (Southern Downs—NPA) (Leader of the Opposition) (10.24 a.m.): I give notice that I shall move—

(1) That the Beattie government recognises the plight of unfunded Endeavour residential clients and their families; and

(2) That the Beattie government allocates funding to Endeavour from its surplus to guarantee its accommodation needs as promised by the Minister for Communities and Disability Services.

INDUSTRIAL RELATIONS (MINIMUM EMPLOYMENT AGE) AMENDMENT BILL

First Reading

Dr FLEGG (Moggill—Lib) (10.24 a.m.): I present a bill for an act to amend the Industrial Relations Act 1999. I present the explanatory notes, and I move—

That the bill be now read a first time.

Motion agreed to.

Second Reading

Dr FLEGG (Moggill—Lib) (10.24 a.m.): I move—

That the bill be now read a second time.

This is a bill to provide protection for Queensland children in the work force. Since the repeal of the Children Services Act 1965 in 1999, Queensland has not had any industrial legislation specifically aimed at the protection of the rights of children in the workplace. This is despite the industrial relations task force as long ago as 1998 recommending that research be done into the issue of child labour in Queensland. There are no age-specific protections included in the Industrial Relations Act.

It is of particular concern that Queensland does not have any minimum age for children in the work force. It is of concern that Queensland does not restrict employment of children in certain dangerous occupations. It is of concern that Queensland does not restrict the time of day that children can be employed, and it is of concern that the number of hours children can be employed is not regulated in Queensland. This bill introduces a range of protections. I seek leave to have the remainder of my speech incorporated in *Hansard.*

Leave granted.

This Bill introduces a range of protections. Children under the age of 13 years are not permitted to be employed except in certain well defined areas, such as a family business. I do not view it as appropriate that children of 12 and younger should be economic participants in the general workforce.

The Bill further provides limitations on employment for children under the age of 15. The Bill prevents their employment between 10 pm and 6 am. It imposes maximum work hours-a 15 hour per week maximum during school terms and 25 hour maximum at other times. It restricts the employment of children in dangerous industries.

It should be of concern to all Queenslanders that the lack of workplace laws to protect children has left the workplace open as a loophole opportunity for paedophiles who now find themselves excluded from contact with children in other walks of life. My Bill provides that the employer or the immediate supervisor of children 14 and younger will require a Current Positive Notice, that is a Blue Card.

This is particularly important given that opportunities for contact with children in other areas of life have been restricted and paedophiles will be actively looking for areas of contact with children that are not currently controlled by regulation. I recognise that this imposes an additional obligation on employers but given that they are employing children 14 and younger, I do not consider that a Current Positive Notice is an excessive regulation.

Other States have a permit system for children. The need for such a system is largely negated by the requirement to have a Current Positive Notice. So I did not see a necessity to go down that path.

This legislation confirms the responsibility that employers of children have as carers to those children.

The Bill also provides under Section 71F that child workers under the age of 15 are entitled to greater amounts of rest time than older workers.

Particular provision has been made in the Bill to cover an area currently lacking under current legislation, that is the employment of children in inappropriate work, in particular work which is sexually exploitative, sexually orientated or suggestive. This provision would cover adult entertainment such as topless waitresses, advertising, utilising children suggestively, film and internet productions. Whilst there may be current provisions restricting employment of children in some areas such as prostitution, there are substantial gaps in current legislation and we seek to fill some of those gaps and protect children from exploitation.

There is also a provision restricting the employment of children under 15 on licensed premises.

The Bill contains a 12 month phase-in period where children are currently in employment and provides suitable exemptions for work on family operated farms and in family owned businesses.

It is not the intent of the Bill to prevent children from having suitable positive experiences in the workforce but it is the intent of this Bill to fill the current void in industrial legislation to protect children in Queensland.

It is the intent of the Bill to recognise that the primary activity of children under the age of 15 should be related to their education and employment should not be so onerous, either in its physical demands or its hours that it interferes with the rights of the child to education.

Current Queensland legislation does not conform with the United Nations Convention on the Rights of the Child. Queensland is singled out for special comment in the International Labour Organization's latest analysis on the International State of Child Labour where it reports that in Queensland, and I quote, “no steps are currently being taken to amend existing legislation or to introduce a new one to address the elimination of any of the worst forms of child labour”.

It is a scandalous situation that the Beattie government has allowed Queensland children in the workplace to go unprotected since 1999 whilst claiming to run hard on child protection issues.

It comes as a surprise to most people in the community to realise that Queensland has no minimum work age, that young children can be worked at inappropriate work, for inappropriate lengths of time or during overnight hours. Most people in our community would see this as a fundamental role of government and that issues such as protection of children from exploitative or dangerous labour conditions should have been put to bed a century ago.

It is imaginable that some people could support stronger legislation than this, given the trend to longer education and concern about the demands placed on children in this day and age, but it is hard to imagine reasonable people opposing these basic provisions as being too severe given that this Bill really sets a minimum standard of protection of relatively young children in the workplace.

There has been a dramatic jump in the number of children in the workforce in Australia, in fact the number of 15 year olds working has risen from only ten percent in the 1960s to 35 percent. The work is predominantly casual type work in retail, fast food and service industries and the proportion of employment in family businesses, farms and odd jobs has declined. Forty-seven thousand three hundred Queensland school students were found to be in part-time employment this year. This is a jump from 34 percent of school students to 48 per cent since 1987.

The 2001 Victorian review of child labour found physical risks to safety were much higher in young workers and that generally, there was a low awareness of their rights in the workplace and a high risk of psychological injury due to balancing the demands of work and education.

The history of work injuries for children is significantly higher than for adult equivalents, with a survey of the fast food industry showing that 46 percent had suffered an injury or illness in the workplace, many of which were unreported and that 35 percent experienced violence or bullying in the workplace, of which two thirds of cases were never reported.

Particular provision has been made to allow children to participate and perform in film, television, theatre but with provisions aimed at protecting children from sexual exploitation.

The Bill is consistent with the International Labour Organization's Convention 138 and Convention 182. These cover protection largely not currently afforded to Queensland children.

The Bill is generally in keeping with the other States of Australia, though in the sense of the minimum work age it is not as restrictive as Western Australia or Victoria.

It is generally not as restrictive as equivalent laws in the European Union and the United States, the latter having a 16 year age minimum for non-agricultural work and some exemptions for 14 and 15 year olds only.

Currently children attend school 8.30 to 3.30 with an average of one hour a day of homework for children under 15. This Bill's provision that there be 15 hours a week maximum during school time appears very reasonable in light of the overall hours of education these children are committed to.

It is high time in Queensland we recognised our responsibility to protect children in the workplace and recognise our primary commitment to the safety, health, psychological well being and education of children.

I commend this Bill with its moderate and sensible provisions and ask that politics be put aside from this important issue and that all parties support this Bill for protection of Queensland children.

Debate, on motion of Mr Barton, adjourned.

PRIVATE MEMBERS' STATEMENTS

Racing Industry

Mr SPRINGBORG (Southern Downs—NPA) (Leader of the Opposition) (10.26 a.m.): Today's revelations that the former chairman of stewards in Queensland, Mr Reardon, had informed the minister about some very serious allegations involving Queensland thoroughbred racing is proof that this government has again presided over corruption, cover-ups, nepotism and cronyism in Queensland's racing industry. It should be of no surprise whatsoever to this minister that these revelations have come about today.

Mr SCHWARTEN: I rise to a point of order, Mr Speaker. No such allegations were made to me about corruption. There has been no cover-up. I find that offensive and I ask that it be withdrawn.

Mr SPEAKER: Order! The member will withdraw.

Mr SPRINGBORG: When did I mention the minister's name?

Mr Seeney: He didn't even mention him.

Mr Welford: You said he gave information to the minister.

Mr SPRINGBORG: When did I mention the minister?

Mr SPEAKER: Order! You said the minister.

Mr SPRINGBORG: No, when did I mention the minister presiding over it?

Mr SPEAKER: Order! You said 'the minister'.

Mr SPRINGBORG: Okay, for the purposes of continuing, it is quite obvious that the former chairman of stewards, Mr Reardon, brought these matters to the attention of the government. It is no surprise whatsoever that this government has been complicit and has been involved in a process of corruption and cover-up in the racing industry in Queensland. The mere fact that there have been 50 sackings or resignations from that industry over the last two years indicates that.

If the minister had listened to Mr Reardon when he went to him explaining these particular concerns, if he had extended the terms of reference for that integrity inquiry, then these matters would have been resolved well and truly a long time ago. But he ignored them. He undertook to get back to the former chairman of stewards and he did not do it. What happened in a very short period of time after that—

Mr SCHWARTEN: I rise to a point of order, Mr Speaker. At no time did I make a commitment to get back to Mr Reardon. My commitment to Mr Reardon was that I would look into the matters that he had, and I did say to him that I would organise a meeting between him and the integrity manager. However, on discussing that matter with the integrity secretariat, I was minded to move then into an inquiry.

Mr SPEAKER: Order! Okay. I call the honourable member for Bundaberg.

Mr Hobbs: Was that a point of order?

Mr SPEAKER: No, there was no point of order.

Mr Hobbs: Was that a point of order?

Mr SPEAKER: No, I did not accept it.

Mr Hobbs interjected.

Mr SPEAKER: Order! I am listening to the member for Bundaberg.

Oncology Services

Hon. N.I. CUNNINGHAM (Bundaberg—ALP) (10.29 a.m.): On 7 October the member for Cunningham stated that the Health Minister has privatised oncology services and patients are being charged for cancer treatment in our public hospitals. I do not know how the opposition gets it so wrong, but I stand in this House today not just to dispute that member's statements but to sing loudly my praises of Queensland Health's oncology units.

Cancer patients in Queensland do have access to free cancer treatment, which for radium can include some two months of professional consultation with specialists and up to six and a half weeks of daily radium treatment administered by highly trained staff and constant help from trained nurses, dieticians, speech therapists, the dental clinic, the X-ray department and the staff who make the plastic masks for almost every individual patient. All of these staff members are highly professional and outstandingly committed. On top of this intense program, creams, lotions, medications and drinks are all made available. Also, a competent administrative staff coordinates appointments between 8.00 a.m. and 10.30 p.m. every day to work in with people's work commitments and travel arrangements.

I have just experienced this treatment first-hand at the Royal Brisbane Hospital and I can say that all of my six and a half weeks of life-saving, professional help cost me nothing, except some $40 for medication particular to my case that had to be provided by a pharmacy. I saw cancer patients from the Torres Strait to the border, the old and the very young, which is very, very sad, and I did not hear a single complaint. Everyone spoke very highly of the amazing attitude of the staff and the fact that they have time to address problems as they arise. Last week I had a chance to respond to a patient satisfaction survey, and I was very pleased to have that opportunity. I stated—

My treatment far surpassed anything I may have imagined or expected.

The staff, particularly Nurse Unit Manager Carol Parker, made every problem seem insignificant and their amazing attitude keeps everyone's spirits up at a time that would otherwise be personally traumatic for most of us.

I say to the Minister for Health: we are providing oncology services in Queensland that are second to none. It is life-saving treatment, and we can all be extremely proud that we can and we do provide it free of charge.

Mr SPEAKER: The time for private members' statements has expired.

PHOTOGRAPH OF WOMEN MEMBERS

Mr SPEAKER: Honourable members, I remind all women members that a photograph will be taken at 1.15 p.m. today on the steps leading from the annexe on to the Speaker's Green. Could all women members gather as close to 1 p.m. as possible so that this can be done without too much delay.

QUESTIONS WITHOUT NOTICE

Energex, Tabled Documents

Mr SPRINGBORG (10.30 a.m.): My first question without notice is to the Treasurer. I refer to the documents that the Treasurer was forced to table yesterday regarding the Energex cover-up and in particular to the investment memorandum which refers to an attachment A and an attachment B. Whilst attachment A has been tabled, attachment B is mysteriously missing from the documents that the Treasurer tabled. Why is the Treasurer continuing to cover up by deliberately omitting documents? What other documents is the Treasurer covering up on the extent of this crisis?

Mr MACKENROTH: I am not covering anything up. Let me say—

Mr Springborg: You said it's in there; it's not in there.

Mr SPEAKER: Order! The Leader of the Opposition has asked the question.

Mr Seeney interjected.

Mr SPEAKER: Member for Callide, order!

Mr MACKENROTH: There was certain information which was not part of that which was commercial-in-confidence and ruled that way by Treasury, not by me.

Mr SPRINGBORG: I rise to a point of order. Is the Treasurer then saying that the information that was commercial-in-confidence was not—

Mr SPEAKER: Order! The Opposition Leader has asked the question.

Mr MACKENROTH: The information which Treasury did not put in there was commercial-in-confidence. That was the report that was given to me.

In relation to this matter, can I say that I said two months ago that this brief was not forwarded to me and there are no records anywhere that it was. I said again yesterday that this brief was not forwarded to me and there is no record that it ever was. I say again today that this brief was not forwarded to me. I have no recollection of seeing it last year. I tabled everything yesterday. I will say it again tomorrow, the next day and the next day.

It was with great interest that I heard the Leader of the Liberal Party on the great ABC program with Steve Austin this morning. Steve had a very interesting theory. He thought that my staff should be brought before the bar of parliament.

Mr Schwarten: Which one?

Mr Barton: Which bar?

Mr MACKENROTH: At least Mr Quinn did not fall into that trap. I did mention it to one of my staff members. He said, 'Look, I'd be happy to go along and just tell people what you have been saying because it's the truth.'

Racing Industry

Mr SPRINGBORG: My question without notice is to the Minister for Racing. It is now clear that serious concerns about integrity in the racing industry were brought to the minister's personal attention by, amongst others, former chairman of stewards Mr Reardon well before the minister established both the Shanahan and Daubney-Rafter inquiries but that the minister took no action to have these matters investigated by either commission and indeed connived, by his inaction, in the subsequent unjustified sacking of Reardon by his friend Bob Bentley. Does this not establish beyond doubt that the minister continues the long history of cronyism and cover-ups in the racing industry established by his disgraced predecessors 'Hollywood' Bob Gibbs and Merri Rose? How can anyone have faith in the integrity of Queensland Racing when the minister sets such a low standard?

Mr SCHWARTEN: Mr Speaker, I will cast aside those offensive remarks as ones of frustration by somebody that 94 per cent of Queenslanders reject.

Let us get to the nub of this issue. The then chairman of stewards, Mr Reardon, did contact my office with a number of allegations. I gave him an opportunity to come and talk to me about those. I gave him the opportunity to come and talk face-to-face with me. Two of my advisers were with me on that occasion. A number of issues were raised with me relating to the way that Queensland Racing was structured. As a result of that, the thought occurred to me that I may be able to get Mr Reardon and the person about whom he complained—Dr Mason—together in one room to try to resolve these differences. But in fact what Mr Reardon was actually asking me to do was something that I could not do, and that was to separate the stewards completely from Queensland Racing. That is what he was asking me to do.

So what did I do, Mr Speaker? Within a matter of weeks I established an inquiry. I saw the futility of getting Mr Reardon and Dr Mason in the same room because they simply did not agree on any subject. Mr Reardon did not provide me with any evidence of corrupt behaviour whatsoever. I set up that inquiry into the integrity structure because I believed it to be the case that there was a serious gap in integrity services in this regard, that the stewards had nobody to whom they could complain. Mr Reardon could complain to me. Of course, the people opposite have never read the act. I cannot do anything about it. He is not an employee of mine; he is an employee of Queensland Racing. So to whom does he appeal? He appeals to the board, which is his employer. If people read—which the members opposite obviously have not—the report prepared by Judge Shanahan, Dr Watson and Mr Lenehan, they will see that in recommendation 16 they talk about the restructuring of the chief steward's position.

Office of Public Sector Merit and Equity

Mr TERRY SULLIVAN: My question is directed to the Premier. Can the Premier, as the minister responsible for the Office of Public Sector Merit and Equity, explain how section 85 is used to deal with staff with health problems and whether the staff have any rights of appeal?

Mr BEATTIE: There have been allegations in the media recently about so-called bosses in the public service using section 85 of the Public Service Act to retire staff they do not like on the grounds of mental health problems. As the relevant minister, of course I took those allegations seriously. I have examined what the position is and I want to report that position to the House. The facts are that for the

2003-04 year across the public service there were 243 employees who were referred for a medical assessment under section 85.

Safeguards are in place to ensure that section 85 provisions are not abused. Just because the provisions exist does not mean they are being misused. The 243 number, being around 0.1 per cent of our work force of 180,000, in my view, at least in part, supports this. I will tell members what the limitations or protections are. Only senior officers in departments have the delegation to refer an employee for assessment. Ultimately the decision is based on specialist medical advice—and I underline that—specialist medical advice. Employees have appeal rights to the Public Service Commissioner if they feel that they have been unfairly referred for medical assessment.

I am unaware of the precise nature of the reports provided to departments by the examining medical officers, and nor should I be—it is a medical issue—but I am sure that they conform with the strict professional codes under which the doctors carry out their work. Only half of the referrals were to psychologists or psychiatrists, while the other half were in relation to physical health problems. Out of the 243 referrals, 59 staff members were retired on the grounds of ill health. I repeat that all of the staff who were referred under section 85 were entitled to appeal to the Public Service Commissioner if they felt they were being treated unfairly. One—that is, one—of the 243 referrals did seek an appeal, but later chose not to proceed with the appeal. In essence, no-one has appealed to the Public Service Commissioner.

In addition to the 59 section 85 retirements in 2003-04, there were 297 public servants who sought retirement on the grounds of ill health. Section 85 was included in the Public Service Act by the former National-Liberal party coalition government in 1996. If anyone has actual evidence of public servants being unfairly treated, harassed, bullied or, indeed, pushed to retire involuntarily, they should come forward to the Public Service Commissioner so that the allegations can be investigated. I will not tolerate that kind of behaviour or any other activity that would jeopardise our very hardworking, efficient workforce in the public sector.

Racing Industry Inquiry

Mr HOPPER: My question is to the Minister for Public Works, Housing and Racing. I refer to the minister's failure yesterday to provide persons who are to give evidence to the Daubney/Rafter inquiry with the same level of legal advice and representation as is available to Chairman Bentley and his henchmen from racing industry funds. Is the minister aware that the Queensland Law Society is currently taking action to dismiss its manager, investigations, Mr Craig Smiley, for forwarding emails raising allegations about Queensland Racing, including corruption, and ineptitude and actions by the minister and the Premier in favouring Labor mates? Is this an example of the type of treatment that people who wish to raise complaints about Labor Party involvement in Queensland Racing will receive if they raise an issue embarrassing to the Labor Party?

Mr SCHWARTEN: I thank the member for the opportunity—

Mr Springborg interjected.

Mr SPEAKER: Order! We are going to hear the answer to this question.

Mr SCHWARTEN: I am not here as a spokesperson for the Queensland Law Society. However, I am aware that the Queensland Law Society does have some issue with one of its employees over certain matters between that person and Queensland Racing. Any other details than that I have no knowledge of and I certainly do not wish to intrude into matters that properly belong to the Queensland Law Society. The society can speak for itself.

While we are on the subject of racing, I just want to return to this issue about Mr Reardon and his concern that he was not able to do his job properly. That is basically his concern: that he felt intimidated. In fact, I asked Mr Reardon did he believe that as a steward, and a chief steward at that, he should do as he pleased. His answer to me was, yes, he should do what he liked. These are the exact words that I used—

Mr Springborg interjected.

Mr SPEAKER: Order! We are going to hear the answer to the question.

Mr SCHWARTEN: This is the fundamental issue about—

Opposition members interjected.

Mr SPEAKER: Order! The member for Warrego, order! The member for Cunningham, order! The member for Toowoomba South, order!

Mr SCHWARTEN: This is the fundamental issue about integrity services and this is why I set up an inquiry into integrity structures within the Queensland Racing system. Mr Reardon believed that he should do as he pleased. I pointed out to him that there were days in the past when ministers of the Crown used to do as they pleased and no-one looked over their shoulder—they were National Party ministers, of course, and some of them went to the peter. I pointed out to him that the world had

changed a lot since then, that everybody expected to have somebody look over their shoulder and the question was to what extent they had their shoulder looked over.

Obviously, the setting up of that inquiry afforded Mr Reardon the opportunity to put his case. I do not know what he said before that inquiry. As I have advised this House previously, I did not read submissions that were put before that commission and I think that was the appropriate action to take. I did not read them, but I would be hopeful that that was the case. Let me say this: when it came to the terms of reference, the Shanahan inquiry had the capacity to refer any matters of a suspicious nature to the relevant authority. They chose not to do it.

Freedom of Information

Mr REEVES: My question without notice is to the Premier. I draw to the attention of the Premier the way in which FOI legislation enables members of the public to gain all the information the government holds on them, but protects them from people who may want to use FOI to snoop on them, and I ask: does the Premier have an example of an FOI application which falls into this category?

Mr BEATTIE: I do. On 13 October the Department of the Premier and Cabinet received an application under the Freedom of Information Act 1992 from the Office of the Leader of the Opposition. The office sought a copy of the database of names and addresses used by my department since 1998 to invite Queenslanders to be part of the democratic process of community cabinet. Section 44(1) of the FOI act provides for protection of individuals' personal information. The purpose of this provision is to ensure that information such as the names and addresses of private citizens is treated with the consideration it deserves.

Further to this, in 2001 the government introduced a privacy policy—Information Standard 42—as a surety to the people of Queensland that their personal information held by my government will be protected, maintained in confidence, and not made available to the public. While it may be fair to release information about people who hold themselves out to the public as business people or officials, it is a different thing altogether to divulge the details of someone who volunteers to work with an organisation such as Neighbourhood Watch or a Lions Club. They may not want their personal details used by a political party.

Opposition members interjected.

Mr SPEAKER: Order! The House will come to order. The Deputy Leader of the Opposition, order!

Mr BEATTIE: See, when they end up with six per cent they get excited. It is standard practice for the department to consult with individuals before releasing their private information in response to an FOI application. In this case there are between 15,000 and 18,000 names on all of the lists and that would mean a letter to each person requesting their permission to divulge their personal contact information to the National Party. I understand a preliminary assessment of the cost of this application was forwarded to the Office of the Leader of the Opposition on 18 November. It put the cost at $1,601.40.

Mr Mackenroth: They would have to pay for postage.

Mr BEATTIE: Of course they would have to pay for postage in addition. This assessment was based on more than 60 hours of work to process this application, including the examination of approximately 1,780 documents. I understand the Office of the Leader of the Opposition has since sought to refine the scope to include only documents from 2001.

The guests we invite to community cabinet would not expect their personal information to be used for other purposes or put on a National Party data file. The spirit and intent of the FOI Act is not for it to be used as a mechanism for political gain nor to divert government resources in this manner. This is corruption of FOI. I say to the people of Queensland who come to the community cabinets, 'The National Party is trying to abuse your name and information.'

Racing Industry; Dr B. Mason

Mr HOBBS: I have a question for the Minister for Racing. I refer to the appointment of Dr Bob Mason, former senior Public Service adviser to disgraced minister Merri Rose, as Bob Bentley's integrity manager in Queensland Racing. It is on the record that Mason drew up the legislation which replaced the former Queensland Principal Club with Queensland Racing and assisted Rose in engineering Bentley's appointment and thus the creation of a job for himself and Public Service juniors. Can the minister confirm whether Mason has close family relationships with prominent licensees in the racing industry? What connections does Mason have with persons involved in the significant failure of a chain of custody for swabs, particularly in Rockhampton, that have been the subject of speculation in the racing industry? Finally, what role did Mason play in the recruitment of Wayne Woods as a racing investigator when he was the subject of serious criticism—

Mr SPEAKER: Order! I have talked about long questions before.

Mr HOBBS:—as to his involvement with criminality?

Mr SCHWARTEN: I do not know whether that was an abridged version of *War and Peace* or a revelation of why the latest opinion polls actually show that the opposition is slightly ahead of heavy beer.

A government member: In percentage terms.

Mr SCHWARTEN: In percentage terms. I also notice that One Nation is about mid-strength. When we take away the nasty abuse and all that sort of stuff, we find that the matters that have been raised here can appropriately be put before the inquiry. If members have any matters—

Mr Hobbs: We're asking what you know about it.

Mr SPEAKER: Order! The member for Warrego has asked the question.

Mr SCHWARTEN: He wonders why he has had to be evicted from this chamber 14 times. The fact is that Dr Mason does not report to me. He reports ultimately to the board of Queensland Racing.

Opposition members interjected.

Mr SCHWARTEN: It is clear to me that the members opposite have never ever read the relevant act.

Mr Hobbs: We know the act very clearly and we know your responsibilities.

Mr SCHWARTEN: We know that the statutes are something upon which those opposite believe they should wipe their feet. The reality is that I obey the law. The law is very clear as to what my responsibilities are, and it is not to run the day-to-day activities of Queensland Racing. It would be most improper for me to be intruding into the day-to-day management of Queensland Racing. Any concerns that honourable members may have can be raised with the inquiry.

Let me clarify the Deagon matter which I have raised with the chairman. He sent me some photographs relating to security issues. There are clear signs that say 'Warning: electronic security surveillance equipment fitted on site'. Mr Bentley advised that the signs and practices have been in place since the installation of the equipment. Equipment was installed upon legal advice. The audio equipment is on mute and is activated by the assistant when necessary.

We take seriously the responsibility of looking after the welfare of the people who work either in statutory authorities or in government appointed positions. If the member comes over to my office, it is like coming into the parliament: there is a security camera on everyone and there is nothing there that tells people that. There is nothing irregular and nothing paranoiac about this; it is good management and good security.

Mr SPEAKER: Order! Before calling the member for Mount Coot-tha, I welcome to the public gallery students and teachers of Pialba State School in the electorate of Hervey Bay.

Milton Railway Station, Sale of Airspace

Mr FRASER: I have a question for the Minister for Transport and Main Roads. Can the minister inform the House of cabinet's decision about the sale of airspace above Milton Railway Station?

Mr LUCAS: I thank the honourable member for his question. He is one of the most active, dynamic and promising young members to enter this parliament in many years. It is a pleasure to work with him as a local member.

Mr Seeney interjected.

Mr LUCAS: He is in the pro-Premier faction like the rest of us. He is not in the six per cent faction like those opposite. I am pleased to announce that cabinet has approved a proposal to sell the airspace above Milton Railway Station under a deal valued at $8 million. This is the second such proposal approved by cabinet. Members will recall that in May last year the Premier announced that the government had approved the sale of an airspace parcel in the rail corridor at Southbank. This was to allow construction of an office building, which is now well under way, to extend into the airspace above the rail corridor, providing increased usable floor space in the building.

My department and Queensland Rail have negotiated the terms of an airspace sale with FKP Ltd. FKP plans to develop an innovative commercial office building in the airspace above Milton Railway Station. This is an example of transit oriented development referred to in the recently released draft south-east Queensland regional plan. The project will involve building a six-storey office building which will have the capacity to house 1,300 staff. FKP has indicated that it will seek to attract Smart State industries such as a call centre or hi-tech companies as tenants. Such companies are ideally located near public transport nodes as their staff are known to be high public transport users. The development is expected to create 350 jobs during its construction phase due to start in the second half of next year.

The proposal will draw on FKP's experience and knowledge in relation to other commercial developments such as the Mincom Building on the corner of Ann, Edward and Turbot streets, which is

also constructed above the rail corridor, and the William Buck Centre on Edward Street. FKP owns a number of properties adjacent to Milton station along Railway Terrace, placing it in a unique position to develop above the station as well as adjacent land. Accordingly, FKP was granted a mandate to negotiate exclusively with the government for this sale. It is planning to build an eight-level residential building on its Railway Terrace properties.

This is a win-win for the community. The developer is providing $2.5 million in transport infrastructure works at no capital cost to the government, including: widening platform 1 and the expansion of the station concourse to cater for crowds attending major events at Suncorp Stadium; improved safety and access for people with a disability, including a new lift opening on to Milton Road, to meet national standards; development of an all-weather platform; and provision of new short-term set down facilities known as 'kiss and ride' at Railway Terrace with upgraded entrances from Railway Terrace and Milton Road. The developer will build a $4.5 million super structure over the station to support the commercial offices and QR will provide the developer with $1 million in retail and advertising space.

In approving this project, the government has ensured the development will not impact on future transport requirements. The developer now needs to obtain appropriate approvals from the Brisbane City Council. Milton station will become one of the first transit oriented developments, setting the benchmark for such future developments in south-east Queensland. I expect airspace sales of this type to become more commonplace. This is all part of the regional plan. We will have a million more people in south-east Queensland in the future. This is about accommodating those people.

Energex, Briefing Note

Mr QUINN: My question is directed to the Premier. I refer the Premier to his repeated claims in this House that the August 2003 emailed briefing note from Energex was sent to the Office of Energy but was never passed on to the relevant shareholding ministers. Given that Leon Allen, the person who received the briefing note in the Treasurer's office in about August 2003, is the same Leon Allen who has been one of the Premier's senior advisers since at least July this year, I ask: how can the Premier claim that the Treasurer's office was never sent this briefing note when the man who received it is now on his personal staff? Is the Premier also claiming that he has been kept in the dark by his advisers just as the Treasurer has?

Mr BEATTIE: I thank the honourable member for his question. I have to say, Bob—I do not want to be accused of being a Nostradamus—that I suspected you were going to ask me that. So I went back and had a look at the *Hansard* record of 28 September 2004. To assist the member, it is page 2366. I said—

Speculation has raged that documents damaging to the government have been covered up, in particular a letter from Mr Maddock ... A thorough search has failed to find any such letter. It could be that the document being referred to is an internal Energex briefing note of August 2003 that I understand was forwarded to the Office of Energy and Office of Government Owned Corporations—

Mr Mackenroth: Which is in Treasury.

Mr BEATTIE: Yes, which is in Treasury—

in the context of Energex's request for shareholders' approval to undertake the significant $130 million CityGrid project ...

Mr Mackenroth: Which was done.

Mr BEATTIE: That is right; which was done. In other words, what I said on 28 September was confirmed by what the Treasurer told the House yesterday. In other words, have I been consistent? The answer is yes. Have I been consistent through this whole thing? The answer is yes.

Mr Quinn interjected.

Mr BEATTIE: I am happy to answer this question, Bob. The reality is that I tabled in this House all relevant information. I said that if any more information became available it would be tabled. The Treasurer tabled that yesterday. I have been consistent all of the way through on this. I tabled a bucket load of—

Opposition members interjected.

Mr BEATTIE: Those opposite can take the humour out of this if they like, but the fact is that—I tabled all of those documents; I stand by what I said then, and what the Treasurer said yesterday confirmed it—I have tabled before this House all of the material.

Let me talk about Leon Allen, because I want to talk about Leon Allen. Leon Allen is a Treasury departmental official who has been seconded to my office as my chief economic adviser. I want to tell members something: he is top class. He is very good. I have to say that one of the beauties about being Premier is that you can pick and choose. I have chosen—

Mr Mackenroth: And steal my staff!

Mr BEATTIE: And I can steal the Treasurer's staff. My apologies to the Treasurer, but he is very good. More to the point, he is going to be staying with me for some time.

However, while we are talking about the Liberal Party, I do have to give Bob some advice. I noticed that in yesterday's Morgan poll he is improving, and I congratulate him on that. At the 7 February election Liberal Party support was 18.5 per cent. After the poll it has gone from 21.5 per cent to 22 per cent to 22.5 per cent and now 27 per cent. Well done, Bob! But let us look at the National Party. It had 17 per cent on 7 February. It has gone from 11.5 per cent to eight per cent to nine per cent to six per cent—just like the time. It has gone to zero, and that is exactly where the Nationals are heading.

Public Behaviour, Sporting Events

Ms STONE: My question is to the Minister for Police and Corrective Services. A number of international sporting events have been held in Queensland during the year, including the recent test at the Gabba at which I remind everyone Australia thrashed New Zealand. Could the minister please tell the House what the police are doing to ensure that people are well behaved at these events?

Ms SPENCE: I thank the member for the question. As a keen sporting spectator, she is particularly concerned about the running of our sporting events in the south-east corner. I had the opportunity recently of briefing cabinet on how police used their special events powers at the Wallabies v. England final test match here in Brisbane in June. Police of course have these special events powers and security guards can also use these powers to search people, their belongings and their cars. They can also electronically screen spectators or their belongings. They can also refuse entry or remove spectators from the grounds. The Wallabies v. England match, which of course Australia won, attracted over 52,000 spectators and only 10 people were evicted from the ground because of disorderly behaviour. Police or security staff conducted more than 4,000 searches, with six prohibited items found.

Mr Schwarten: Six! Seems to be coming up a bit today!

Ms SPENCE: Six; yes, indeed! The approval rating of the National Party in Queensland! Six prohibited items were found at a test match where over 52,000 spectators attended. I have no doubt that these special powers acted as a deterrent to poor behaviour, particularly when we consider that this was televised internationally.

Mr Johnson: How many police have you got down the coast for schoolies?

Ms SPENCE: The member for Gregory mentions schoolies, and I think the schoolies festival compares very favourably with the kinds of figures that I am reading out here.

Mr Johnson: How many coppers have you got down the coast for schoolies week?

Ms SPENCE: The police are very pleased at the staffing that they have at schoolies, but let me move on. The member for Gregory just asked me a question. The member for Gregory never asks me a question, but I am happy to answer one. I am happy to give him the figures.

Let us look at the first test and the policing results there. I am advised by police that 47 people were evicted from the cricket ground during the four days of the first test. About 40 people were given move-on notices. There were three notices to appear for field evasions, 12 liquor offences, including people who were caught bringing alcohol into a licensed area, and one person was arrested for contravening a police direction. I am sure that members will agree that policing of these sporting events has been very good and has enhanced the amenity for all who go there.

In the time I have left, I am happy to answer the interjection from the member opposite. The police are very happy with the over 900 police officers who are on duty to police schoolies. There have been no complaints about the police presence. In fact, they are doing a terrific job.

Stafford Heights, Public Works and Housing Department Land

Mrs PRATT: My question is to the Premier. Premier, in an article in the *Courier-Mail* on Saturday, 20 November, titled 'No Such Thing as Free Bushland', it refers to six hectares of bushland at Stafford Heights which the Brisbane City Council wants to preserve as bushland rather than have it developed for its intended purpose, which is public housing. In the article it stated—

Mr Schwarten, the Minister for Housing, is adamant that to save it—

that is, the land—

the council would have to buy it.

Mr Schwarten, in an interview on ABC Radio yesterday morning, stated that he wanted full market value or the equivalent value in other land. Premier, if council in order to preserve bushland must purchase the public land from the government, why is it not appropriate that to preserve privately owned land the government should purchase that land from the private owner or give the equivalent land in value? Why shouldn't Queenslanders who are deprived of the land's intended use see this as a double standard?

Mr BEATTIE: The answer is very simple: everyone in Brisbane pays a bushland levy and that should be used to acquire this land. It is very simple. Is the member suggesting that everyone out in the bush should be paying such a levy, because I do not think that she would be very popular if she did. There is a special bushland levy, and that levy was specifically brought in some years ago by a Labor council and maintained by the Liberals and is designed to acquire bushland. So the people of Brisbane actually pay a levy. What we are saying in relation to that Stafford Heights land is very simple. We are just simply saying that the Lord Mayor should use that levy to buy the land. He said he would. In an election commitment that was given, he said he would do that. The whip who represents this area actually wrote to the Lord Mayor and it was confirmed to him that the council was serious about it prior to the election. Subsequent to the election, it has not gone ahead with it.

Why is it important that the council use that bushland levy to buy that land? It is important because we will use that money to invest in public housing. We have had some criticism from a number of places about the need to put more money into public housing, and I dare say there may even have been some in this House. If Robert Schwarten, the minister, had that money from the bushland levy, he could put it into public housing in order to assist the homeless and assist a number of people. That is the reason. I know the very long bow that the member drew to try to drag it into issues in her local area, and I admire her ingenuity. She has to take up writing novels; she has the creative spirit to do it. I was impressed by how she made that huge leap from Tasmania to the mainland. I have to tell the member that it was very impressive—very impressive. But the key difference is this: her honourable, decent, hardworking constituents do not pay this bushland levy. That is the difference in a nutshell.

But now that the member has raised this issue, I should say that City Hall and I are getting on very well together. I have a lot of respect for the Lord Mayor. We are working together very closely. But it would not do him any harm to acquire this land through the use of the levy. The Lord Mayor has concerns about the homeless. I have seen him on television talking about that and, as the Minister for Police would know, talking about the police. One way to help us resolve that issue is to give us the money, which we will put into public housing.

Mr Terry Sullivan: As they said they would do during the election.

Mr BEATTIE: That would help to deal with this problem. As the whip has said—and he has the letter, and give him half a chance he will table it—

Mr Terry Sullivan: I did it yesterday. I tabled it yesterday.

Mr BEATTIE: As usual, the whip is ahead of me. We would then be able to get them to honour an election commitment and look after those people in need all at the one time. What a great outcome! I thank the member for the question, and I did not write it.

Community Legal Centres

Mr SHINE: I direct my question to the Attorney-General and Minister for Justice. I refer the minister to the important work being done by community legal centres around Queensland, and I ask: is the government planning any special assistance to help these centres meet community needs?

Mr WELFORD: I thank the honourable member for his question. He obviously has an interest in the community legal centres on the downs and, of course, throughout Queensland. Community legal centres provide a vital link in our state's justice system providing services to many thousands of Queenslanders seeking legal assistance. They provide a range of legal assistance to socially and financially disadvantaged Queenslanders, complementing the range of services offered by Legal Aid Queensland and the private legal profession.

The services offered by community legal centres include legal information, advice and casework as well as community legal education. The centres also undertake law reform and legal policy projects, including providing submissions to the government. Currently, there are 28 government funded community legal centres in Queensland. Twenty-one of these receive funding from both the state and Commonwealth governments. Five are funded solely by the state and two are funded by the Commonwealth.

Four years ago our government put in place a formula to give funding certainty to these community legal centres for the first time in their history. Where possible, we have also provided a number of one-off grants for special projects. Today I am pleased to announce that the government is providing additional special project grants totalling more than $550,000 to 17 community legal centres to help upgrade technology and services. These grants will enable the centres to instigate projects that will improve the quality of the legal assistance that they provide. These projects range from an interactive Internet site in the Roma Community Legal Centre to the establishment of a night-time legal advice clinic at Southport. On the Darling Downs, the Toowoomba Community Legal Centre has received funding to create a central hub that will use technology to support and improve the work of a number of smaller centres, which may include Goondiwindi, St George, Cunnamulla, Roma, Tara and Charleville. These special grants are an important adjunct to the existing funding agreement to ensure that community legal centres have flexibility and can continue to be innovative.

Community legal centres have been operating in Australia now for some 28 years. They have a commitment to free and accessible legal services, to seeking legal and social changes to address injustice and inequality, and to promoting community legal education. The specialist skills and expertise offered by community legal centres, combined with their dedication to providing access to justice for all, but particularly disadvantaged Queenslanders, makes them a vital part of our justice system.

Mr SPEAKER: Order! Before calling the member for Gregory, could I welcome to the public gallery students and teachers of Beerburrum State School in the electorate of Glass House.

Alcohol Management Plans; Happy Valley, Townsville

Mr JOHNSON: My question is directed to the Minister for Aboriginal and Torres Strait Islander Policy. I refer to her government's alcohol management plans that are in force in most Aboriginal communities. I also refer to her previous advice that the facilities for indigenous people being developed at Happy Valley in Townsville would include counselling services for alcohol, tobacco and other drugs. I refer the minister to a public notice in the *Townsville Bulletin* of 13 November 2004 concerning an application for a liquor licence for the 7.5 hectare site at the Happy Valley facility. I ask: should this state-funded facility, designed to help indigenous people overcome alcoholism, be used for the consumption of alcohol?

Ms LIDDY CLARK: I thank the member for the question. Happy Valley is still under consideration by a joint committee. There has been some discussion within the community in Townsville and members of that committee as to whether Happy Valley should have a wet area or be a dry area. I am not sure if those discussions have come to finalisation at the moment, but I will certainly find out that information.

Mr Johnson: It's contradictory.

Ms LIDDY CLARK: I will find out that information and get back to the member by the close of business today. But there have been major discussions, including with the member for Townsville, about whether or not Happy Valley should have a wet area or be a dry area.

Mr Johnson: It's a rehabilitation centre and you're going to consume grog.

Ms LIDDY CLARK: I do not make the decisions on this. There is a committee—

Opposition members interjected.

Ms LIDDY CLARK: There is a committee in Townsville—

Opposition members interjected.

Ms LIDDY CLARK: There is joint management committee comprising the traditional owners, members of the community, the council and the state government, and it is led by a government champion. As I said, the matter is under discussion.

Opposition members interjected.

Ms LIDDY CLARK: As I said, the issue of whether Happy Valley will have a wet area or whether it will be a dry area is being discussed. In a lot of areas, the issue of alcohol is huge and one that we take into consideration. We will be doing everything that we can to support Happy Valley and the people who will be residing there.

Ambulance Service, Out-Of-Hospital Cardiac Arrests

Mr WILSON: I want to ask a question of the Minister for Emergency Services, but before doing so, can I acknowledge my daughter, Hilary, and her friend Emily in the gallery this morning. I ask the minister: can he tell the House of the current survival rate for out-of-hospital cardiac arrests in Queensland and what this means for the Queensland Ambulance Service?

Mr CUMMINS: I thank the member for the question. I am pleased to inform the House that the survival rate for out-of-hospital cardiac arrests in Queensland now stands at 21.11 per cent. This figure represents a significant improvement on the first reported outcome of 11.5 per cent back in 1995. It has been an incredible achievement in just under a decade. In simple terms, this improvement means that our world-class Queensland Ambulance Service is saving more patients who experience out-of-hospital cardiac arrests than ever before. Overall, the trend is extremely positive and yet another example of the high calibre of our paramedics.

The Australian Centre for Prehospital Research uses the most rigorous, internationally recognised standards for calculating survival after out-of-hospital cardiac arrest. This increase in the survival rate is most likely due to the increased number of QAS paramedics being on the scene when the patient goes into cardiac arrest, which means that our paramedics were able to provide immediate treatment. Essentially, because our paramedics were on the scene in a timely manner, they were able to provide more life-saving care.

Earlier this year, I was extremely proud to welcome QAS paramedics back from a successful trip to the United States of America where they were crowned the best paramedics in the world for their gold

medal winning performance at the Emergency Medical Technicians Olympics in Salt Lake City. This government has committed to more world-class paramedics such as our world's best crew. Over four years, we will boost paramedic numbers by 350. This combination of extra paramedics plus a first-class standard of training in the Smart State means that Queensland will continue to enjoy one of the highest standards of ambulance service.

This rate of improvement is likely to continue because in the last financial year the Queensland Ambulance Service trained more than 73,000 Queenslanders in first aid—an increase of more than 6,000 over the previous year. The QAS have trained more than 5,500 people in CPR through their CPR for Life program. I encourage all members to do what they can to be involved in the CPR for Life program. These figures are also topped off by the fact that 42 per cent of Queensland adults now hold current first aid certificates.

Recently I also launched the CPR for Life in Schools program with the Transport Minister at Wynnum High School in his electorate. Last week the Education Minister also highlighted the fact that our government's $1 million program means that Queensland's state school students will soon leave school with the skills to save lives. These first aid and CPR education programs and the figures for out-of-hospital cardiac arrests are very likely to continue to improve next year as well.

Energex, Briefing Note

Mr LANGBROEK: My question is addressed to the Treasurer. I refer the Treasurer to his response to a question without notice asked on 21 October regarding the emailed briefing notes from Energex that he has repeatedly denied receiving by stating—

I do not have to be careful. I know exactly what I am saying. It is easy when you tell the truth—easy. That memo was sent to the Office of Energy. It was not sent to either me or the Minister for Energy.

Why did the Treasurer never ask his staff to verify that no documents were received into his office from Energex?

Mr MACKENROTH: When I returned from overseas at the end of September or early October this year I did ask my staff to go through our records in relation to any briefing notes, letters, notes or documents that had been sent to me by Energex or sent to me from the department in relation to Energex. That search was done. A search was also done in Treasury. The answer is still the same. I said it before and I will say it again: it was never sent to me.

General Practitioners and Specialists

Mrs NITA CUNNINGHAM: My question is addressed to the honourable the Minister for Health. Bundaberg residents will have read the good news this morning regarding the new outsourcing plans to reduce our dental waiting times, and I ask: can the minister outline what initiatives are being planned to increase the numbers of doctors and specialists in Queensland?

Mr NUTTALL: I thank the honourable member for the question. I am pleased that she is recovering so well from her treatment.

The government is absolutely committed to providing the highest quality health care and has a number of initiatives under way to strengthen doctor and specialist numbers. Last year in Australia 5,000 young people qualified to study medicine but there were only 1,500 places available, so 3,500 of our young people missed out. In 2005, new medical courses will commence at the Griffith and Bond universities to support those already in place at the University of Queensland and James Cook University. Projected intakes of 50 each for these two new courses will take the estimated number of undergraduate medical enrolments at Queensland universities to 450-plus in 2005.

These new courses and places are critical to assist us to meet the growing demand on our health services and are a direct result of lobbying by this government to the federal government, which allocates these places. With a population growth of approximately 80,000 a year, we are continuing to work on means to cater for an ever-increasing demand on our health services.

We are now putting the final touches to an agreement with the Commonwealth government and the Royal Australasian College of Surgeons to establish even more training positions. The positions will be developed through partnerships between Queensland Health and visiting medical specialists. I will reveal the details at a later date, but training in private hospitals will be involved. This initiative will be a first in Australia, training more surgeons to meet current and future needs within Queensland.

The new training positions are an important, positive outcome for Queensland and are the result of strong leadership and excellent work by Queensland Health. Unlike the recent situation in New South Wales and Victoria, where these governments threatened to refer the Royal Australasian College of Surgeons to the ACCC, Queensland Health has established a strong working relationship with the college which has enabled this initiative to be reached. This agreement with the Commonwealth and the Royal Australasian College of Surgeons demonstrates this government's commitment to reform and

underlines the new Queensland Health vision of providing leadership in health care and the importance of effective partnerships.

Child Protection Services, Maryborough

Mr CHRIS FOLEY: My question is addressed to the Minister for Child Safety. Given the election promise that protecting vulnerable children would be the No. 1 priority of the Beattie government, I, along with many others in my electorate, was very disturbed to hear that there is a backlog of 340 unallocated initial assessment child abuse cases in Maryborough. At the estimates committee hearings last July the minister gave me personal assurances that there would be a significant ramping up of resources in the Maryborough office to fix these problems. What on earth is happening?

Mr REYNOLDS: I thank the member for Maryborough for the question. I would like to recognise his hard work and that of my colleague the member for Hervey Bay. Both members have advocated to me the needs of staff and the community. I thank them very much in that regard. I also take this opportunity to commend and congratulate Department of Child Safety staff in Maryborough for their hard work and dedication to vulnerable children and young people in Hervey Bay and Maryborough.

In the Maryborough office we have increased the number of staff from 16 to 30, as I indicated at the estimates hearing, and we will be employing another six staff, bringing the number of staff to 36 as part of the reform process. As we all know, reforming any department, organisation or system is a complex and often difficult task and means added stress and concerns for staff. For this reason, one of my top priorities as minister has been to ensure that my department has the necessary support mechanisms in place to assist staff with what is an extremely difficult and challenging job. The department has in place a number of high-level support mechanisms across the state for people suffering from work related and non-work related stress. An integrated support program is being implemented which includes education in self-care and emotional wellbeing. It includes full-time safety and rehabilitation coordinators and self-care workshops. We have also brought in an extensive network of trained peer support officers to provide counselling and a range of other very specialised support for our staff.

I turn now to the notifications. I would like to set the record straight on reports in yesterday's *Fraser Coast Chronicle*. It is not true to say that there are 340 notifications that have not been dealt with. In fact, as of last week the office had 329 notifications on its books. One hundred and thirteen of those have already been assessed. A further 94 assessments have commenced. The centre is now working towards assessing the remaining 122. That work has been done by the very fact that we have been able to increase our staff from 16 to 30.

It is common knowledge across the world and across the states and territories that notifications are increasing everywhere. Our staff are getting on board. I have put the staff resources into Maryborough, and I will continue to do so. The staff we have there are getting on board with notifications. It is the trend across the world. I am determined to ensure that we as a department continue to reform as per the blueprint. There are 318 staff this year. There will be 518 over the total reform period. We will support Maryborough and Hervey Bay. I as minister have shown that. I look forward to working collaboratively and cooperatively with the member for Maryborough and the member for Hervey Bay in that regard.

Department of Child Safety, Staff Training and Development

Mr WALLACE: My question is directed to the Minister for Child Safety. The training and development of staff in the department is integral to successfully reforming the child protection system. I understand that the minister has been working closely with a number of universities and tertiary institutions in Queensland to develop programs that will equip practitioners with the knowledge and skills they need in this new era of child protection. Can the minister please update the House on these partnerships?

Mr REYNOLDS: I thank the member for Thuringowa. I know of his very strong interest and passion in the area of child protection, which he certainly displays as the member for Thuringowa and a member of this House. I would like to announce today that two very innovative and progressive tertiary programs will be offered in 2005 through the very hard work that we have done in this area of child protection and the partnerships with universities. Next year both James Cook University and the University of Queensland will be offering postgraduate certificates in child protection. It is a part-time course—four subjects being offered over two semesters. I am pleased to say that my department will be sponsoring 50 people to go to those courses—25 at James Cook and 25 at UQ. Forty of those across the state will be staff of the department and, importantly, 10 will be from non-government organisations.

We will also be targeting this course to indigenous staff of both NGOs and government and also people in rural and remote areas. This is the sort of support that our staff need. With regard to the work that we have done with the universities, in the first month I met with the universities I indicated that the courses offered at an undergraduate level were not good enough. They were not good enough in terms

of our staff coming on board in the Department of Child Safety. I am very pleased to be able to announce today that my department has offered $50,000 of seed funding to five universities—UQ, JCU, Griffith University, Central Queensland University and the Queensland University of Technology to address specified knowledge and skills gaps in their undergraduate degrees in 2005.

Tertiary developments such as these are a significant achievement for the sector, giving child protection greater recognition as a growing field of practice. Gone are the days when we get graduates from a university coming into the Department of Child Safety with inferior degrees. We want the skills, the competencies and the theories to develop so that people can come into the department. We also give them an eight-week professional development induction course. I thank the member for his question. Great work is going on with our academic institutions.

Mr DEPUTY SPEAKER (Mr Fraser): Order! The time for questions has expired.

CRIMINAL CODE (CHILD PORNOGRAPHY AND ABUSE) AMENDMENT BILL

First Reading

Hon. R.J. WELFORD (Everton—ALP) (Attorney-General and Minister for Justice) (11.31 a.m.): I present a bill for an act to amend the Criminal Code, and for other purposes. I present the explanatory notes, and I move—

That the bill be now read a first time.

Motion agreed to.

Second Reading

Hon. R.J. WELFORD (Everton—ALP) (Attorney-General and Minister for Justice) (11.31 a.m.): I move—

That the bill be now read a second time.

Every piece of child pornography represents an ongoing abuse of an innocent child. Recent arrests across the nation have revealed the extent of the child pornography industry. The Internet has increased the range, volume and accessibility of child pornography material. As the Australian Institute of Criminology recently reported, it is clear that the Internet has provided an environment for the proliferation of child pornography and an expanding market for its consumption.

Queensland already has the most comprehensive range of child sex offences across Australian jurisdictions, with substantial penalties attaching to those offences. But this bill confirms our tough approach to child sex offences by significantly increasing the penalties for child pornography. At present, offences relating to the production, sale and possession of 'child abuse' material are contained in classification acts which are part of a Commonwealth-state-territory scheme for the classification of publications, films and computer games.

The problem with this is that legislation designed to classify material to determine whether it is M rated or R rated simply does not recognise the nature of the conduct involved in child pornography. The classification acts are largely directed at material produced for a commercial purpose and for public distribution. Child exploitation material, on the other hand, is produced for a very different audience and should be treated as criminal conduct.

This bill targets those who produce and possess child exploitation material. By attacking the market for child pornography, we will remove the incentive to make it. The bill increases the maximum penalties for offences relating to child exploitation material and describes the offences in a manner that truly reflects its criminal and exploitative nature. The bill also extends the offences to a broader range of material and to depictions of other forms of abuse of children, including torture.

The offences are all indictable offences and will be located in chapter 22 of the Criminal Code, along with other serious sexual offences against children. 'Child exploitation material' is defined in new section 207A as material that, in a way likely to cause offence to a reasonable adult, describes or depicts someone who is, or apparently is, a child under 16 years—

(a) in a sexual context, including, for example, engaging in a sexual activity;

(b) in an offensive or demeaning context; or

(c) being subjected to abuse, cruelty or torture.

This definition is broad enough to catch any material at all—images, sound recordings, objects and written descriptions. It also includes data from which text, images or sounds can be generated. It is not necessary to prove that a child depicted in the material was in fact less than 16 years of age at the time the image or material was created. It is also not necessary for the material to depict a real person.

The definition also includes an objective test—that the material is likely to cause offence to a reasonable adult. This will ensure that innocent family photos, such as a naked toddler in the bath, are not caught within the definition of child exploitation material. New section 228A creates the offence of involving a child under 18 in making child exploitation material. The maximum penalty will be 10 years imprisonment—up from five years (where a child is to be used in a publication) and up from three years (where the child is to be used in a photograph, film or computer game or image). Of course, where it can be established that an offender has actually abused a child in making the material, then a substantive offence (such as rape or indecent dealing) will be the appropriate charge.

New section 228B creates the offence of making child exploitation material, with a maximum penalty of 10 years imprisonment. Again, this represents a substantial increase in the current penalties of five years for making a child pornography film or computer game and three years for making a child pornography publication.

New section 228C creates the offences of distributing child exploitation material, with a maximum penalty of 10 years imprisonment. Again, this represents a substantial increase in the penalties applying to the current offences of selling child pornography publications, photographs or films (currently two years) and selling an objectionable computer game (currently six months).

New section 228D creates the offences of knowingly possessing child exploitation material. The maximum penalty is five years (up from one year), one year for the possession of films and two years for the possession of computer games and images.

New section 228E creates a number of defences for the four new offences set out previously. It is a defence to prove that the person charged engaged in the conduct alleged to constitute the offence for a genuine artistic, educational, legal, medical, scientific or public benefit purpose and the person's conduct was, in the circumstances, reasonable for that purpose. For example, a news report describing the abuse of children would have a public benefit defence under this section.

Possession, production or distribution of material which has approval under the classifications scheme will also not constitute an offence under this bill. It is a defence for the person to prove that, at the time of the offence, a classification exemption had been given for the material and that the person engaged in the conduct for a purpose for which the exemption was given and in a way that is consistent with the exemption. This defence refers to specific exemptions that may be given under the classifications scheme for material that is clearly child exploitation material but where the material is of a medical, educational or scientific character or which is intended to be used for one of those purposes. The defence will arise only if the use of the material is consistent with the exemption.

It is also a defence for the person to prove that the material alleged to be child exploitation material is classified as something that has not been refused classification under the classification acts. The purpose of this defence is to ensure that a person cannot be convicted of one of these serious offences in relation to material that has been approved by the classification system. The defence also allows the person to seek to have the item classified after being charged, if it was not classified at the time of the alleged offence. The court rules which will apply in prosecutions under this act will prevent the unnecessary showing of child exploitation material in court.

A new section requires a court to exclude all non-essential persons from the courtroom if and when child exploitation material is to be displayed. While recognising that, generally, courts should be open to the public, this provision ensures that the number of people able to view such material is strictly limited to those performing a legitimate function in the court at the time.

A new section also permits a court to order, on conviction, the forfeiture of any child exploitation material and anything else used to commit the offence, such as a computer. The bill also protects law enforcement officers who are involved in the making, distribution or possession of child exploitation material if the person is acting in the course of their duties and their conduct is reasonable in the circumstances for the performance of those duties. For example, a police officer will not have committed an offence in copying a child exploitation image for the purposes of preparing a brief of evidence but will have committed an offence if the image is copied for personal use.

This bill sends a strong message that child exploitation and abuse is abhorrent. It will attack the market for child pornography. It is another arm in our government's fight against child sexual abuse. I commend the bill to the House.

Debate, on motion of Mr Lingard, adjourned.

CHILD PROTECTION (OFFENDER REPORTING) BILL

Second Reading

Resumed from 9 November (see p. 3268).

Mr JOHNSON (Gregory—NPA) (11.40 a.m.): Is it not fitting that the Attorney-General has just introduced into the House the Criminal Code (Child Pornography and Abuse) Amendment Bill 2004. I

congratulate the government on putting pieces of legislation in place in the last 24 hours—yesterday and today. Yesterday the Premier introduced legislation in relation to the blue card, today the Attorney has introduced new legislation, and today the Minister for Police and Corrective Services has the Child Protection (Offenders Reporting) Bill 2004 before the parliament. Again the emphasis is on protecting our kids, who are the most important and most vulnerable people in our society. Mr Deputy Speaker Fraser, you know that only too well from the recent events in your family.

As the minister said in her second reading speech—

I am sure that many of us have been shocked by recent revelations in the media about US government agents cracking a worldwide child pornography ring that has been preying upon innocent children all over the world.

It is not only United States authorities but authorities on an international scale that are the reason why we have seen that child pornography ring broken. Has it been broken? No, it probably has not been broken, but with technology, computers and all these types of advantages that these experts in their field of trade have access to, it certainly makes it difficult for police to be able to apprehend these people.

Yesterday in the House, in relation to the blue card legislation, I said that when we are dealing with these people a lot of times we do not know who they are. They are professional people who we would not even contemplate would be a party to such an awful process. The preying on young children and the sexual exploitation of young children absolutely makes me sick.

Yesterday in this House I indicated that the New South Wales Police Commissioner, Ken Moroney—and I am sure the Queensland Police Commissioner, Bob Atkinson, thinks the same—said that one of the things that has really broken down in our society is the lack of respect for women. When there is that lack of respect, the sexual abuse and the sexual exploitation of women, it is a sad indictment on our society as a whole. I am a husband, a father and a grandfather of four little granddaughters. Every day I think just how sacred the family unit is, just how sacred our children are and just how sacred our young people are. In common with Ken Moroney, I think that the lack of respect for women is where our society is breaking down.

There is one thing we all have in common—we all have a mother. I cannot emphasise enough the importance of the mother role. The father might not always be there but the mother is always there. She is the one overseeing the welfare of her children. She cannot be there all the time. The children will go to child care, they will go to preschool, they will go to school, or they might be left with friends to be looked after. The most important person in our life is our mother, who has that connection with the child. It is very sad that legislation like this has to be introduced so that we can protect those kids. I should have said at the outset that the National Party opposition supports the minister and supports the government to the hilt on this legislation. I would think that everybody in this House would.

Whilst we talk about supporting the legislation and supporting the laws, we must ensure that criminals guilty of sexual and other serious offences against children are tracked as part of a new national register. Queensland is at the forefront of this. It is very gratifying to know that it is going to be introduced on a national scale. Police from other jurisdictions are going to have a network of technology that will be able to do surveillance on these undesirables so that we know where these people are on a daily basis.

My analogy is that paedophiles will always be easy to track if they are in jail. As I see it, the real issue is that we cannot always find these people. As I said earlier, we do not know where they are. They are always in our midst, and they are people whom we never ever think would be of that ilk. It is concerning that about a third of all convicted paedophiles in Queensland escape jail sentences. The Attorney-General has introduced legislation today, and I am hoping that there is going to be some hardline justice in there for the element who want to be predators of our children.

Since 1998 there have been 645 people convicted of indecently dealing with children in Queensland. However, one-third of these—217—have gone to jail for as little as one night. That is a sad situation.

Mrs Carryn Sullivan: Twenty-four per cent under your government.

Mr JOHNSON: I cannot hear where the comment came from. I am sorry, it came from the member for Pumicestone. I heard her say 24 per cent under our government. Governments of all persuasions, regardless of where they are, have made mistakes in the past, and I will be the first to admit that. If we have made mistakes, this is about fixing them up. Today I have said, 'Let's work this one out together.' I have said it on numerous occasions. With this sort of legislation there should be no worrying about going back to where the problems were in the past; it is about fixing the problems now and going on.

I have a lot of arguments with people about what happened in the past, but I think we can only build on the past, create an environment where we can get justice, where we can get reality back into the debate and where we can get outcomes which are going to protect the people we are talking about—our children. Our current laws governing child pornography and sex offenders do not meet community expectations. As I said, the Attorney has introduced that legislation today, so, please, God, it will be passed.

Most Queenslanders would be of the opinion that if someone is guilty of paedophilia they should be removed from society altogether. One aspect of this legislation on which I applaud the minister is the reporting regimes on a daily basis or a weekly basis however serious the matter is. This is an important factor of the legislation. Police should know where these people are. The Nationals have been calling on the Beattie government to introduce mandatory sentencing for child sex offenders in Queensland. We believe that is going to play a major part in being a deterrent to this element of society.

One specific point on the bill is that this legislation fulfils Queensland's commitment to the Australian National Child Offender Register that was launched in September of this year. Given the importance of being able to track an offender across borders, as I said earlier, anywhere in Australia, it is important that every state and territory in the country has this legislation ready to go to ensure that there are no loopholes in this mandatory reporting scheme. I hope that the minister might be able to give me more details in her summary today.

The minister mentions on the front page of the explanatory notes that the total estimated cost to government to implement this system is $1.5 million. When members think about the resources needed to implement a program like this, members would not think $1.5 million would go all that far. However, the minister will no doubt be able to give us some answers on that. The real fact of the matter is that we need to have adequate police numbers and we need the police to have adequate resources to be able to fulfil their job and to carry out the intent of this legislation.

This bill imposes penalties on those reportable offenders who fail to comply with their reporting obligations. This failure will attract a fine of up to $11,000 and/or two years imprisonment. I applaud that. Where an offender breaks these reporting obligations on a couple of occasions, he or she could well be considered a recidivist offender in so far as they have no desire to conform with the requirement to report to police. In this instance, would the legislation provide for this offender to be registered as a recidivist offender whereby they would be required to report for the remainder of their lives? This is an issue that should be considered by the minister in the passing of this legislation.

As the former minister, Mr McGrady, said to me in the House one night when we were speaking about this, there are many of these people in prisons and out in the community who think they have committed no crime; they think that what they do is okay by society and in their own minds they are doing nothing wrong. This is the sad fact of the matter. When we have an element in society that did not receive proper instruction when they were young people and therefore grew up to be adults with a mind as small and as sick as this—sick is probably not the word—it is nearly an impossible task for those working in the field, such as police, social workers and those working in the prison system, to make them realise the ill of their ways. It makes it more difficult.

In relation to the figure of $1.5 million, I believe that this figure is going to be stretched somewhat. Given the magnitude of this reporting system, which will place increased responsibility on our Police Service to ensure these offenders are meeting their obligations, the required resources need to be allocated. It is absolutely paramount that this be done. I would also appreciate a breakdown of precisely which areas that $1.5 million will be allocated to. Is this amount just for the register or does this include increased funding for Task Force Argos and other officers who will be charged with these responsibilities? Will there be a new unit redeployed within the Queensland Police Service that will carry out this function or is it going to be an ongoing part of everyday police detective work?

Following on from the issue of proper funding for the management of this register in Queensland is the issue of how the government intends to ensure those offenders on the register are complying with their obligations to report any change in their details. As the minister has said, in Australia more than 200 people have been arrested recently because of their alleged links to this international child pornography ring as part of a huge anti-porn operation. Unfortunately, this is quite a problem and given the number of offenders who might be living around Queensland who are required to report to the Australian National Child Offender Register, it is going to be a challenge to ensure that they are providing any change of their details immediately as is required of them.

In other words, I would like to know what form of policing processes and measures are going to be put in place to ensure these offenders are meeting their reporting obligations. We all know that police work is often performed undercover and is work that has to be totally secret and, at times, away from the general public. Whilst we cannot know everything, if the minister can address some of those measures in her summary I would greatly appreciate it.

In the minister's second reading speech she pointed out that it should be noted that there was a high rate of recidivism among child sex offenders. When we talk about the rights of these people at times we forget the rights of the victims. Here the victims are our children—the children of Australia. These predators do not deserve any rights. The bowels of a prison are probably too good for some of these people. When we talk about rights I say to all those civil libertarians out there that there is no room for civil libertarians when it comes to abuse of our children. I know everybody deserves a fair trial, but at the same time our children should be given the right to be able to grow up in an honest, free and clean society where they can grow from innocent children to adolescents to adults without being interfered with and assaulted by those depraved citizens of this country.

The rules change, as does the justice system, and it is no good having a good Police Service apprehending and arresting these people and putting them before the courts only to find out at the end of the day that they are being let off with a rap over the knuckles and are able to reoffend. I believe that with this legislation, because it is of a national flavour, we are going to see outcomes that will deter a great many of these people.

The other thing I want to touch on quickly—I do not want to talk for too long because I know this legislation has the total support of this House—is the minister makes mention of class 1 offences, which will include serious offences involving sexual intercourse with a child or the persistent sexual abuse or murder of a child, and class 2 offences, which are other reportable offences where there is an express sexual element to the offence. In relation to these two issues that the minister has addressed, I would think that while there are people who are thinking about class 2, ultimately they must want to become a class 1 offender. I cannot see any difference between the intent and the doing of the actual offence. I know that this legislation has been worked out on a national uniform basis, but I cannot stress enough just how important it is that the crime itself be rewarded with the penalties that go with it. I feel that there is a similarity in the class 2 offence and one penalty should fit the lot.

This also applies to reportable offenders who are required to report in another jurisdiction and, moreover, child sex offenders who are existing reportable offenders currently subject to section 19 orders under the Criminal Law Amendment Act 1945 will automatically be subsumed by this legislation. Again the bill provides for the court to make an offender reporting order against a person who is found guilty of an offence that is neither a class 1 nor class 2 offence if it is satisfied that the person poses a risk to the lives or sexual safety of one or more children or other children generally.

The point I make is that every day there are situations such as the disappearance of little Daniel Morcombe up the coast. The police have done great work in that case. The minister raised in the House yesterday the reward for the capture of those criminals who have committed crimes that have not been solved. With this legislation we may see some of these people apprehended. Whether Daniel Morcombe has become a victim of a pornography ring or the victim of a blatant abduction/kidnapping we do not know. Please God, he will turn up safe one day, but time is running out. We all know that. Our hearts bleed for his family. There are a thousand other families—probably tens of thousands of them—right across Australia who are in similar situations. Again and again it comes back to the protection of children.

In closing I would like to say that one issue that also comes to my attention is the case of reportable offenders who live in remote communities that are more than 100 kilometres from the nearest police station. The Police Commissioner may agree to allow the report to be made at a mutually agreed time and place. The minister might like to elaborate more on that in her summary because there are many remote communities in Queensland. I know for a fact that the people who live in those communities are very observant of people who come to live amongst them. If they are not a local the locals run their eye over them for the first month or two and want to find out a bit about them.

The police in these communities are very good at tracing who these people are, where they have come from and whether they are running from the law or something else. The issue of offenders reporting to the authorities in those remote communities is important. In these areas a lot of times families are isolated and these people could work on stations or in small towns and we do not know who they are. I would appreciate it if the minister could elaborate on that issue.

I congratulate the minister and her government on the implementation of this legislation. She has my total support. I will work with the minister very closely and in every way possible to make certain that we go a long way towards cleaning up this horrible mess in Queensland.

I think that is a productive way to operate in here. Even though the minister is the one responsible and I am the opposition spokesman, I believe that we can work closely together to deal with these issues. If I have ideas that could be advantageous in helping the government or the police to obtain better outcomes for the benefit of society and, in this case, for the benefit and protection of our children, so be it; let us work together. It gives me great pleasure to support this piece of legislation. I hope it goes a long way towards ridding society of the scum who prey on our children.

Hon. J. FOURAS (Ashgrove—ALP) (12.00 p.m.): I am pleased to take part in the debate on the Child Protection (Offender Reporting) Bill. The establishment of a child protection register will enable police to keep track of offenders who commit sexual and other serious offences against children. Moreover, the requirement for mandatory reporting will reduce the likelihood that offenders will reoffend as well as help in the investigation of any future offences that they may commit.

In her second reading speech in this House the minister stated that sadly many child sex offenders have compulsive behaviours and will possibly reoffend. That is why we are debating this legislation today. This undeniable fact is the basis that underpins this bill. The bill will undoubtedly make a difference; it will make our children a little bit safer. However, it is one of many child protection measures. We should not overexaggerate the benefits that can flow from this important legislation. I think it is true to say that it is one of a number of things that need to be done in this area.

I remember when I was involved with the homeless children inquiry hearing about a minister—and I will not say what religion he was—who was picking up children from refuges and off the street and taking them home and looking after them. A couple of years later one child reported being sexually abused. As a result, all of the other children came out and said that they had been abused by him. It turned out that this particular person who had come to that town actually had form but it was covered up.

Even if we have blue cards or the best system in the world, unless people in the community behave seriously in terms of this issue we will not get the outcomes we want. This person should not have been in the position where he was picking up homeless children. The sad thing is that it was a dreadful experience. Homelessness results from a lack of resources and people not being close to other people. When a person in a position of trust abuses somebody the victim gets very angry. It is very difficult for those people to come to grips with the fact that somebody who was supposed to protect them did this to them.

The opposition spokesperson spoke about the 200 people in Australia arrested for their involvement in a child pornography ring. They were preying on innocent children. I will comment on what needs to be done with regard to online child pornography. It is important that we do more to gain an understanding of the problem of online child pornography. A lack of understanding creates the dual problems of impeding the treatment of offenders and hampering the ability to prioritise matters for investigation and prosecution. Investigators need to consider the extent to which an offender found with child pornography may be involved in other forms of offending.

In an article I read recently, Dr Tony Krone, a research analyst from the Australian Institute of Criminology, noted that the development of predictive indicators of involvement would be an important advance in combating child pornography. He said that without these predictive indicators law enforcement agencies must prioritise their investigative efforts. In the United Kingdom, in response to the recent flood of cases, top priority has been given to cases involving convicted paedophiles and those with access to children, such as teachers and social workers. It is very good to have a register because that will help prioritise how we deal with this heinous problem.

Priority is given secondly to cases involving people in positions of authority. There is no doubting the importance of combating online child pornography in order to protect children from abuse. We need to do more research to better understand the problem, to fully assess the nature and scale of offending and to identify and protect victims. That would be a more effective and a more just approach. I think that we need to look at the way we deal with these things.

It is sad that we have so many people out there who abuse children and who have this compulsion to reoffend and that we have to have a register so that we can keep track of them. We must not get carried away with the fact that we are creating these mechanisms. We need to have a whole-of-community approach. We need people not to cover up for people they know because those people will continue to offend.

Parents and particularly mothers have to stop being in denial of the fact that their boys and girls are being sexually abused. There are more young girls than young boys on the streets of Brisbane at the moment because of abusive situations in homes. Mothers will actually write letters to people saying, 'If only these kids would accept discipline.' They deny what is going on in their own homes because they cannot accept it.

I commend the minister for this legislation. I think it is important. We must make sure that we put measures such as this in context as part of a much wider range of initiatives that are required to protect our children in the future. I commend the bill to the House.

Mrs MENKENS (Burdekin—NPA) (12.07 p.m.): The opposition will be supporting the Child Protection (Offender Reporting) Bill, which addresses a need to establish an Australian child protection offender register enabling law enforcement agencies across Australia to share information regarding child sex offenders. This system involves sex offenders or those convicted of certain offences involving children having to notify police of various personal details such as their address and having to report any travel plans. The register will enable the transfer of cases and the tracking of movements of offenders within and between jurisdictions. The implementation of a system such as this could not have been more timely.

As has been mentioned often yesterday and today, there is a disturbing trend of increased levels of paedophilia due to globalisation making the world a much smaller place and the advent of technology allowing these predators into the bedrooms and classrooms of children. It is a disturbing world when we consider that major pornography and paedophilia rings exist and are preying on our children in our own backyards. Children are losing their innocence through no fault of their own.

The loss of morality in our society is on an upward trend. We must do something about it. The establishment of a national system of offender reporting goes some way to countering this problem. It is the first step, but as a society we must continue to be vigilant. In a country where more than 200 people have been arrested because of their involvement in child pornography this register will present police

with a useful tool to determine the level of security within the general community and also to gauge the potential risks posed by previous offenders.

There are many civil libertarians who consider registers of this kind to be a loss of individual rights and the freedom of movement. To them I say that, when any offence is committed against an innocent child, any previous rights and freedoms that were enjoyed by individuals go right out the window and the community as a whole has the call on what rights these individuals engender. The old saying is still very apt: you do the crime, you serve the time. With the implementation of this legislation before the House this morning, individuals convicted of a scheduled sexual offence will be required to comply with the reporting system. Individuals found duly responsible for committing sexual offences will have no right of appeal unless they have their conviction quashed or their sentence reduced below the threshold upon which timed reporting will end. This reporting will involve a coordinated and cooperative effort by all states to activate and maintain an offender register to stop sex offenders from being able to escape to a safe haven in another jurisdiction.

As a result of the establishment of this much-needed register, police in all states will be able to know the whereabouts, or should be able to know the whereabouts, of all of Australia's convicted sex offenders and should be able to monitor their activity in the general community much more easily. This point is important, because it should reduce the likelihood that offenders will reoffend and provide background information for any future offences occurring in the community. However, in applauding this initiative by the Commonwealth government and all state governments to address an issue which sends shivers up the spines of all of us in this House, I do ask the minister and the state government what their commitment will be in ensuring the efficiency of this register.

To my way of thinking, it would seem logical that any extra work expected of the Queensland Police Service—which in this instance involves keeping offenders' personal details up to date, reporting any changes in circumstances, changes in address or employment, and informing interstate police of any domestic or international travel—would be reflected with a commitment by the government to increase its police numbers and provide extra funding to accommodate the register. We note that a certain amount has been set aside for this, but I am very interested to see how the actual implementation of this will occur. When one considers that reportable offenders will report to police on an annual basis and most will be forced to report for up to eight years, with juveniles reporting for four years, I would like to see the government provide a guarantee that police will not be left holding the baby and feeling the strain of extra work with no extra support or funding. I hope that the Minister for Police and Corrective Services can address this query. The reason I ask this is that the statistics do not lie, and it is a fact that child sex offenders have compulsive behaviour and, tragically, will often reoffend with police left to judge the level of caution required in each case and the level of monitoring of each individual.

When we consider the ability of the police to monitor these individuals, I would hope that the government would take on board the public criticism if an offender was found to have reoffended due to a lack of police resources. The government can eliminate this scenario by committing to extend their resources and increasing their budget. As a member of this community who will bring public scrutiny to bear on a government in charge of Queensland law enforcement, I sincerely hope that this bill will provide police with a further tool to fight these systemic problems.

This bill, as I understand it, will force those individuals who are found guilty of reportable offences to be included on the register. It is also my understanding that these offences will be divided into two categories—that is, class 1 offences, including serious offences like sexual intercourse with a child, and class 2 offences, which express sexual elements of an offence. This register is also applicable to those offences committed interstate and will incorporate those offenders who are under existing orders. This is an excellent part of this whole legislation, and certainly not before time. Further, where an individual is not found guilty of class 1 or class 2 offences but could pose a risk to the safety of the general community, then those individuals will be placed on the register as well. I do applaud all of these measures in an effort to maintain public safety in an attempt to curb the trends.

It is again a sad indictment of our society when as technology improves it is put to criminal use by some people. This has been reflected in the circulated amendment to this legislation relating to section 26(3) in that possession of child abuse computer games is to be added to the list of reportable offences. It is quite horrifying to think how the criminal mind works. I also want to reiterate the member for Gregory's earlier words of congratulation to the government for the implementation of this and the various other legislation on child protection. This legislation is a huge step forward, and I know that we all look forward to its implementation.

Before I finish, I want to bring to the attention of the House a passage of text from Kate Cairns, a child care consultant who wrote the book, *Surviving Paedophilia: Traumatic Stress after Organized and Network Child Sexual Abuse*. In her book she paints a picture which all of us—all members in this House—should hear to strengthen our conviction to fight the terror that is paedophilia on behalf of all children in Queensland. Kate Cairns's chilling words state—

The suffering is a double torture for victims because where there is social denial they may feel unable to cry out for help: 'Sexual abuse is particularly likely to leave children speechless. They are silenced by their own terror, by their own sense of self-blame and self-loathing, by their own lack of an appropriate vocabulary, and by the threats issued by their abusers. In the case of organised abuse, the perpetrators are likely to be particularly skilled at silencing children. Many adult survivors of paedophilia speak and write movingly of the experience of being silenced as a child.'

As the shadow minister for child safety, I applaud any measures that enable the greater protection of children and other members of our community. This bill goes some of the way towards making it harder for our innocent youth to be jeopardised. I commend the Child Protection (Offender Reporting) Bill 2004 to the House.

Mrs CARRYN SULLIVAN (Pumicestone—ALP) (12.16 p.m.): I have spoken in this House on a number of occasions about legislation for child protection and I am certainly delighted to rise again today to support the Child Protection (Offender Reporting) Bill 2004 and agree with other speakers in that we must do everything possible to ensure that we protect our children, one of the most vulnerable groups in our society. Crimes committed against them often scar them for life and have huge ramifications for their families, friends and the wider community. The Minister for Police, the Hon. Judy Spence, introduced this bill into the House on 9 November 2004. It seeks to fulfil Queensland's component of the national child protection registration scheme. The implementation of this bill, at a cost to the government of approximately $1.5 million, requires child sex offenders and other defined categories of serious offenders against children to keep police informed of certain personal details for a period of time after they are released into the community. Its purpose is to reduce the likelihood that offenders will reoffend and to assist the investigation and prosecution of any future offences that they may commit.

This change in the legislation will make it mandatory for child sex offenders to report certain personal details to police when they are released into the community. It is another arm in the Beattie government's fight against child sexual abuse. This state already has in place the most comprehensive range of child sex offences throughout Australia, with substantial penalties attached to those offences. In fact, this government has increased the number of those penalties over the past few years to provide judges with more scope to deal with child sex offenders. We are continuing to introduce further legislation to increase significantly the penalties for child pornography offences.

It is a credit to the member for Gregory that he admitted that his National-Liberal coalition government was among previous governments which did not do enough to protect our children. During his government's term, 24 per cent of all child sex offenders were handed down a fine. But it is no good going back, and this government is moving forward to better safeguard our children by introducing another change to the existing legislation which will hopefully enable police to track on a national basis the movements of offenders who might try to avoid compliance with the scheme. Under this scheme, child sex offenders will have no right of appeal in being placed on the register, but should a person appeal and have a conviction quashed or reduced below the sentencing threshold for registration then those reporting requirements will cease.

I recently attended a child safety forum on Bribie Island organised by a group called Citizens Against Indecent Behaviour, or CAIB. I take this opportunity to thank the organisers, Sandra Rojic and Wally Nelson, for getting up and speaking out about this issue and not sitting back and ignoring what has become a growing problem throughout the world.

Child abuse and abuse of those less fortunate than us has gone on for centuries and is not confined to this locality and nor is it confined to this state. These areas of abuse are ones that for a long time were not talked about publicly and in a few cases appear to have been tolerated sometimes in the home and in institutions. So I would like to reflect a little on what we have done to date. Some members may not be aware, but in the early 1990s during the Goss Labor government we closed the state-run institutions because of the abuse suffered by those residing in them. Members would also be aware that the Beattie Labor government was the first state government to introduce a separate Department of Child Safety. That department commenced in February this year and its aims are to provide quality, coordinated and holistic responses to children and young people and early intervention and support to prevent children and young people from entering or remaining in alternative care. I am part of the new child safety ministerial legislation committee.

The minister, Mike Reynolds has introduced and will continue to introduce legislation into the parliament to foster the aims of the new Department of Child Safety. The opposition has supported the new legislation. As Mr Springborg said in effect in his speech in parliament in June, this problem has been around forever, we can legislate all we like, but that does not necessarily mean that that is going to fix all the problems. We all need to be ever vigilant. When we legislate, we have to carry out that legislation to ensure that we do everything in our power to help protect the children. That is what this government is doing.

In June 2004 the state government introduced the Child Safety Legislation Amendment Bill and committed over $200 million to implement the 110 recommendations arising out of the Forster inquiry. Funding is being used to provide additional staff and training for the new Department of Child Safety, the Commission For Children and Young People, the Juvenile Aid Bureau and the enhanced suspected

child abuse and neglect teams, which form part of these recommendations. Other legislation has also been introduced into the parliament. As well as the Child Safety Legislation Amendment Bill, in October 2004 the Child Safety Legislation Amendment Bill (No. 2) was introduced. These bills show that the government is committed to introducing the reforms recommended by the CMC inquiry into abuse of children in foster care.

In June 2003 the government introduced the Dangerous Prisoners (Sexual Offenders) Bill. This legislation provided for the ongoing detention or supervised release of certain prisoners to ensure adequate protection of the community and to provide continued control, care or treatment of those prisoners who have been convicted of violent sex offences or paedophilia to help facilitate their rehabilitation. This legislation's validity was upheld by the High Court in a decision in October 2004. In 2002, the Beattie government introduced legislation that removed the principle that prison should be the last resort for sex offenders. That means that our courts must at least consider a jail term for sex offenders. Recently, the Premier committed $1 million to the Argos forensic computer examination unit to be better equipped to tackle people who are abusing our children by providing bugging powers that do not exist elsewhere.

A booklet titled *Who's chatting to your kids?*—a must read for parents who have the Internet in their homes—helps educate parents about the threat of Internet paedophilia. The state government has also implemented other changes that go towards helping to protect children in our society. The Commission for Children and Young People was set up in February 2001. It is the most empowered independent statutory authority for children and young people in Australia and has enhanced scope, functions and powers. One of those functions is the new role of the Child Guardian, which encompasses a range of monitoring, auditing and reviewing functions in relation to children who come to the attention of the Department of Child Safety. The introduction of the blue card has seen people working with children having to undergo criminal checks. The laws that were introduced recently will extend the category of groups and people who will have to have blue cards.

Currently, the Minister for Police, Judy Spence, is calling on all state government police ministers to follow Queensland's lead and to support a national child abduction alert system. Queensland is the first state to put in place a system for the urgent broadcast of information about suspected child abductions, with a phased-in introduction beginning by the end of this year. This service aims to help find and safely recover children and apprehend offenders.

Some people will say that all of these responses and reforms to the issue of child abuse have been long overdue. It is certainly easy to sit back and lay the blame on somebody else, but it is the responsibility of all of us to ensure the safety of our children. This government is certainly doing its best to help protect our children. I commend the bill to the House.

Mr MESSENGER (Burnett—NPA) (12.24 p.m.): The Child Protection (Offender Reporting) Bill 2004 is designed to allow Queensland's law enforcement agencies to participate in an Australia-wide program where designated law enforcement officers will be able to share information relating to child sexual offenders. It is legislation that I, along with my National Party colleagues, support wholeheartedly.

The legislation allows Queensland to join the rest of Australia in a coordinated fight against child sex offenders. This legislation will help police officers catch child sex offenders and will further protect our children from this vile and contemptible category of person. I have a sense of deja vu. Once again in this House we are debating legislation that is designed to stop sexual predators from preying on our kids. Once again I am compelled to remind this House of some pertinent facts. They are worth repeating and also considering.

From 1988 to 2003 there were 654 grubs—and I call them grubs—convicted of indecent treatment of children under 16. Of those grubs, 217 escaped a jail sentence. That is, 33 per cent of convicted child sexual offenders escaped jail sentences. Of the 92 people convicted of carnal knowledge of children under 16 years, 42 escaped a jail sentence. That is more than 45 per cent. Of the 59 people convicted of unlawful sodomy, eight escaped a jail sentence. Although this legislation will help our police officers catch paedophiles and other child sexual offenders, it is not going to put them in jail. I remind members that recently this House had the opportunity to send a much stronger message to this low-life by supporting the opposition's call for mandatory sentencing of child sex offenders. That call was rejected by the Premier and other members opposite because of a number of what I believe were lame excuses, one of them being that it has not happened anywhere else in the world. The obvious response is: the Smart State has mandatory sentencing for convicted murderers; why can we not have mandatory sentencing for child sexual offenders?

This morning the Premier reported to this House that for the last year in Queensland the reporting of child abuse, some of which will be child sexual abuse, has increased by 43 per cent. That is a sobering statistic. I believe that statistic would have been lowered if there were mandatory sentencing of convicted child sex offenders as well as the extra investigative tools that this legislation gives to our law enforcement agencies.

According to a parliamentary research paper, the object of the legislation is to reduce the likelihood of recidivism and to assist in the investigation and prosecution of future offences that may be

committed by registered offenders. Recidivism is a topic cloaked in a bit of mystery. I want to refer to some passages from a report that the Australian Institute of Criminology commissioned recently to shed some light on who is a likely sexual offender and what is recidivism. On page 7 of this report in the executive summary it states—

Overall, the characteristics of sexual offenders are similar to those of the general offender population: they tend to be young, single, white males from all socioeconomic strata, with a disproportionate number of offenders from Indigenous and other socially marginalised groups. A small number of specific predictors of sexual recidivism have been identified, although they are not present for all types of sexual offenders. These include: sexual deviance; criminal history, especially a prior history of sexual offending; age; early onset of offending; childhood victimisation; and psychological maladjustment (although few sex offenders are diagnosed with a major psychiatric illness).

That reinforces the need to get right on top of the problem of bullying and victimisation within our schooling system. Such behaviour only creates greater problems. I refer again to this report by the Australian Institute of Criminology, which I recommend to all members of the House. It states further—

More recently Broadhurst and Loh (1997) followed up 2,785 males arrested for sex offending for the first time in Western Australia between 1984 and 1994. Aboriginals were over-represented at 13 per cent of the sample. Just over half of all offenders and three-quarters of Aboriginal offenders had sexually assaulted adult females. A large number of offenders desisted from offending or, at the very least, were not re-arrested, but the risk of re-arrest varied according to the definition of recidivism (re-arrest for any offence, sexual offence, offence against the person). Operationalising recidivism as re-arrest rather than a return to prison substantially increases the rate of reoffending, while defining recidivism only as a repeat sex offence considerably underestimates the risk of dangerous or general re-offending. The likelihood of re-arrest for homologous sex offences was low, but those who were re-arrested for sex offences were equally likely to be re-arrested for a violent offence. Irrespective of the type of index sex offence, younger offenders and Aboriginals were most likely to be re-arrested for any crime and for offences against the person.

The report goes on further—

A Canadian study followed 570 federally sentenced paedophiles, rapists and incest offenders for an average of 3.5 years post-release. Paedophiles had the highest rates of sexual recidivism, but rapists had the highest recidivism rates across the three offence categories. This suggests that rapists have more generalised criminal careers, while paedophiles may be more specialised.

My staff made contact with the general manager of a prominent counselling service on the Fraser Coast who believes that, while this bill will go some way to tracking down perpetrators—in his own words, it is part of the puzzle—there is a long way to go and it will not prevent acts of sexual assault on children from occurring. He made mention that, in his experience, a perpetrator who has just come out of jail will go through a cycle whereby they may relapse into old behaviour. Some convicted offenders say to this man that they will not do it again because they know that they will go to jail, but this is unlikely. While very few do say this, the majority do not.

The general manager of this prominent counselling service believes that there needs to be some kind of incarceration whereby after the convicted child sex offender serves his or her time they are then placed into a relapse prevention program, which is a form of counselling which will hold the perpetrator accountable for all action occurring. He believes that this is the only way to prevent or reduce recidivism. He says that these vital relapse prevention programs will occur only if more funding is supplied. He says that currently there are many people coming out of jail who do not seek counselling and therefore they are falling back into the same old traps. He says that it is like a filthy bad habit to these child sex offenders, whose actions can be related to such bad habits as smoking or eating, according to this man. They try and break that bad habit but it will not change overnight. It takes time. This gentleman suggest a minimum of six months. I do not necessarily agree with all of what he says, but it is certainly pertinent for members of this House to listen to his views.

I would also like to speak to the issue of the Child Safety Department. I have had recent conversations with prominent psychiatrists in the Bundaberg-Burnett area. One theme that keeps coming through is that they do not believe that the situation for children will appreciably improve unless there are more child carers—that is, foster carers, child carers and short-term child carers. More child carers will mean more options for child safety officers. It is those options—those increased opportunities for child safety officers to place children safely in care—that will increase the safety of our children. Too often they have to make decisions that are compromised. They may think that a carer could be offending, but they really do not have any other option because there are not enough carers. We in this House, on both sides of politics, need to increase the number of child carers. That may mean paying them more or making sure any allowances they are due are paid on time. I honestly believe that we need a major campaign to increase the numbers of child carers. That would go a long way to protecting our children.

Recent history has told us that paedophiles and people who collect and traffic in child pornography are very sophisticated technologically. State, national and international boundaries are no obstacles to them. They learn to use and exploit the latest means of electronic communication. This bill will allow our law enforcement officers to fight fire with fire. They, too, will be able to use and exploit the latest means of electronic communication to keep our kids safer and to put these grubs—child sexual offenders—in jail. I support and commend the bill to the House.

Mr CHOI (Capalaba—ALP) (12.36 p.m.): A lot of honourable members realise that my electorate office is actually in a shopping centre. Part of the benefit of having my office in a shopping centre is that

I get to go into the shopping centre and meet a lot of my constituency. Sometimes, however, a five-minute journey becomes a one-and-a-half-hour talkfest.

I was in the shopping centre not too long ago and I noticed that a young mother was doing some window shopping with her daughter. Obviously whatever was being displayed in the shop captured this young mother's 100 per cent attention. This little child wandered off to probably 20 or 30 metres away from her mother. I have three daughters and I love children, so I took the opportunity to have a chat with this girl. Before long the mother realised that the young girl was missing, found that she was talking to a strange man, grabbed her away from me and gave me a very, very dirty look which said, 'If you touch her, I will kill you.' I was not offended by that. I actually think it is a very sad indictment on our society that we have to be very protective of our children these days.

When I was growing up my parents always taught me, 'Be kind to strangers. Talk to strangers and if they need any help give it to them.' I taught my daughters, 'Don't talk to strangers. If they ask for anything, run away.' As I said before, it is really a very sad indictment on our society. It horrifies me that there are people in our society who prey upon our children. As a society and as a government, we must face the fact that there are dangerous sexual offenders who prey on our children and who derive pleasure from taking a child's innocence. Our government can never eliminate the risk posed by these sexual offenders, but as a government we can work to minimise risk and protect our community.

This government is responsible for some very outstanding legislation in protecting the children of our society. I sincerely congratulate the minister and her team for their hard work on this legislation. The Child Protection (Offender Reporting) Bill 2004 requires that child sex offenders keep police informed of certain personal details for a period of time after they have been released into the community.

As a father of three beautiful young girls—almost ladies now—I would like to think that I have some control over the environments to which my children are exposed. I would also like to think that my children are kept safe and that everything within my power is done to protect them. Unfortunately, in the world we live in, hoping that I have done everything to protect them may not be sufficient. Child sexual offenders are the scum of our society. I can continue to hope that my daughters' school crossing attendant is a trustworthy person. I can hope that their music teachers or supervisors in their recreational activities are genuinely interested in their wellbeing. But, again, as I said, hoping is not sufficient. That is why this government has to legislate, as it did yesterday and is doing today, to protect the children of our society.

The changes to the Child Protection (Offender Reporting) Bill and the Commission for Children and Young People and Child Guardian Amendment Bill, which I spoke about yesterday, mean that I can have some degree of trust in those people around my children. These pieces of legislation cannot be considered a foolproof standard. However, with community vigilance and observation, they can provide us with some reassurance that our children are safe.

Having said that, I did some research on the Internet and noticed that in America legislation known as 'Megan's law' was introduced in response to the murder of a seven-year-old girl called Megan Kanka by a convicted sexual offender living in her neighbourhood. The legislation introduced in America not only requires the sexual offenders to notify the police of their current residency but also empowers the police to notify the community. I read with interest, and perhaps a degree of horror, that the police have a web site identifying every single sexual offender in the neighbourhood. In fact, they have pin maps to identify where they live and what they look like.

If I were asked for my opinion as a father on how we should deal with sexual offenders, I would say, 'Give me a knife, lock them up and throw away the key.' As a citizen, I like to think that I have the right to know where they live. However, as a person who supports individuals' rights, I believe that when a person who has committed an offence has served their sentence, they have an entitlement to live freely as part of our community. Honestly, at the moment I do not know where the fine balance should lie. We should look at this legislation again in 12 months time to see if there is anything we can do to tighten it, to ensure that the intention of this legislation is fulfilled.

As a parent, I am also doing my best to raise awareness among parents in my electorate of the dangers facing our children. While speaking on this bill, I would like to draw the attention of members of this House to a publication by the Queensland Police Service called *Who's chatting to your kids?* I am distributing this publication to all primary schools in my electorate with their final newsletter of this year. This is a great way to help parents become more aware of what they can do to protect their children, particularly with cyber sexual offenders.

This bill clearly demonstrates the government's commitment to protect our children—the most vulnerable members of our society. The information on child sexual offenders will be kept on the register which is maintained by the police. I must also take this opportunity to congratulate the Queensland Police Service on their work in the initial apprehension of those dangerous offenders. As a member of the PCMC, I have to confess that I do not like going to PCMC meetings—not because I do not like working with my colleagues. I go there because I know how important the work is that is being undertaken by the PCMC, but reading through reports about sexual offenders, about adults in our society preying upon innocent young children in our communities, really stresses me out.

Having said that, the Queensland government has done a wonderful thing in this regard. I think we would be hard pressed to find an issue that is more emotive and as difficult to face as that of a child sexual offence. Governance is not an easy job. Finding the right balance between protecting the community as a whole, protecting victims and ensuring fairness to individuals is a difficult and sensitive process, but this bill is another example of this government's willingness to tackle the tough issues. I commend this bill to the House.

Mrs STUCKEY (Currumbin—Lib) (12.44 p.m.): The Liberal Party supports the Child Protection (Offender Reporting) Bill that has been introduced in Queensland as part of a national strategy instigated by the federal government. This project was first outlined to the Australasian Police Ministers Council by CrimTrac in November 2003. The federal government gave the project high priority and in September 2004 launched the Australian National Child Offender Register, ANCOR. Under the register, anyone convicted of sexual or other serious offences against children will be legally obliged to notify police of their address, places they frequent, car registration and other personal details. It is refreshing to see that the state government is working in conjunction with the federal government instead of berating it and collaborating by amending the law to accommodate a national database for such an important issue.

The national database will enable child sex offenders to be tracked interstate and for information to be shared across jurisdictions. It is hoped that this will also help to combat international paedophile rackets. This bill signifies Queensland's contribution to the proposed national approach to a single register established by ANCOR. The objectives of the national register are to reduce the likelihood of recidivism and to assist in the investigation and prosecution of future offences.

This is accomplished by making it mandatory for child sex offenders and other defined categories of serious offenders against children to report specified details to police when released into the community. A person is not a reportable offender when there is no conviction recorded under certain legislation where the conviction for a single class 2 offence did not include a prison term or a supervision order, for certain single offences committed when the person was a juvenile, or where the offender is under a foreign witness protection law. It is also important to note that the person stops being a reportable offender if the verdict is quashed or set aside, or if the sentence is reduced or altered so it would not have been recorded.

The right to privacy of offenders is respected in this legislation and it is an offence for unauthorised persons to gain access. The length of the reporting obligation varies between eight and 15 years for a single offence but can be for the remainder of their life for repeatable offences.

In a study performed by Griffith University in June 2000, it was revealed that most offenders knew the child for a significant amount of time before sexual contact occurred. The offence also frequently took place in the offender's home, with another common location being in a vehicle. More than 85 per cent of offenders surveyed reported between one and 20 sexual contacts per child victim. This is an appalling rate. Almost two-thirds of offenders reported that the sexual contact lasted for around one year. More often than not, the child's parents knew that they were spending time with their child. The most commonly used means of keeping a child from disclosing the abuse was saying that he—the offender—would go to jail or get into trouble if the child told anyone.

This tactic is often employed in the hope that the child will be frightened of losing contact with the offender as they provide the child with affection and rewards or privileges. This study reinforced what researchers already knew but has frequently been ignored in public debates: child abuse overwhelmingly involves perpetrators who are related or known to the victim. Educational campaigns that focus on stranger danger need to be balanced with programs that recognise the danger that exists for many children in their own homes and among friends. The modus operandi that child sexual offenders use is very similar to positive parenting techniques. Therefore, it can be hard to identify important warning signs. Parents should be aware of people who try to spend time alone with their children or new friends who try to integrate themselves into the family.

Mr English: The programs are moving towards what they call inappropriate and appropriate touching.

Mrs STUCKEY: I will take that interjection. When speaking to the Commission for Children and Young People and Child Guardian Amendment Bill, I noted that paedophiles often befriend the parents first before they make contact with a child. It is important for children to feel comfortable talking about their feelings with their parents. Open communication about the behaviour of perpetrators and self-protective strategies must also be taught to children to reduce the risk of abuse.

As a society we have become more focused on the problem of child molesters, heralding the demand for longer terms of incarceration, whilst the number of rehabilitation programs for offenders has escalated. The fact remains that the offenders who have been imprisoned will be released and returned to the community. Child predators and offenders will continue to present a risk of reoffending unless they somehow come to understand their behaviour—an understanding which, I might add, is unlikely to occur.

I am pleased that this legislation, and the aim nationally, is not a Megan's law scenario—a law mentioned by the honourable member for Capalaba. Megan's law, which I am sure all members are familiar with, is a form of community notification which authorises the release to the public of identifying information about convicted sex offenders. This type of law is inconsistent with society's goal of protecting individual liberties. It gives residents a false sense of security, it encourages a vigilante mentality towards offenders and can inadvertently disclose the identity of victims.

There is a fine balance between infringing upon a person's liberty and ensuring that our community, and especially our children, are safe. Almost certainly this line will confront us in the House and in the broader community on a much more regular basis in the future, so it is critical that we implement fair yet effective legislation and, above all, protect our children. Upon dissection of this legislation—which is part of the federal government's initiative to have a national database—it appears that this balance has been met.

As mentioned earlier in this speech, it is disheartening that paedophilia has a large rate of repeat offending, and it does not seem that any amount of rehabilitation is an effective cure in the long term. Paedophiles frequently conceal their activities to avoid the criminal justice system. The number of incarcerated sex offenders does not represent in any way the actual frequency of related crimes but merely represents the criminal justice system's effectiveness in bringing about a conviction and custodial sentences.

Without a doubt the latest tool that has attracted the attention of paedophiles is the Internet. It is hard to determine if the Internet has fuelled the demand for child pornography or whether it has just provided another avenue for satisfying this deviant market. What makes the detection of child pornography difficult is that much of the material does not fall under the legal definition at this stage. For example, pictures of children in their underwear or swimmers which, on the surface, appear innocent are being displayed for sexual gratification on these Internet sites. It is for this reason that investigations look at why these pictures have been collected and the manner in which they are being viewed.

The recent arrest in Queensland of over 50 people for having child pornography on their computers indicates quite clearly that there is no profile of a typical offender. Most of these people did not work directly with children, though some may have participated in sporting activities. They all differed in appearance, characteristics, professions and socio-economic status. They did not look threatening or suspicious, and in public they behaved in the same manner as everyone else. I am sad to say that such people are found in every suburb, organisation and walk of life. As has just been stated, offenders are not easily recognised yet they do have one thing in common—the majority are male. According to the Australian Institute of Criminology, the question arises as to whether female paedophiles even exist.

The introduction of a national register to track reportable offenders will hopefully go a long way to protecting our community and our precious children from reoffenders. This register may allow police to identify common patterns and use the information to formulate education and prevention programs. I wholeheartedly commend this bill to the House.

Mr ENGLISH (Redlands—ALP) (12.53 p.m.): This bill continues a suite of legislation that this government has introduced to increase the safety of our community. This bill, combined with other aspects such as the blue card legislation, goes toward limiting paedophiles' ability to access our children. However, I voice one concern which is not to do with where we are heading—I am extremely comfortable with that. I feel that some parents are trying to off-load the responsibility of protecting their children on to the government and other agencies. I believe that it is the core responsibility of parents and caregivers to be ever, ever vigilant.

The member for Currumbin just gave a speech and pointed out how these people do not stand out; they are just Mr and Mrs Average. I encourage and urge all parents and caregivers to, please, despite the good steps that the government is taking, still be ever vigilant. At the end of the day children are their responsibility. Some people accuse me of being overly paranoid, but to me if someone has a blue card it potentially means that they are a paedophile who has not been caught yet, and my job is to still be vigilant. A blue card in itself does not absolve me of the responsibility to supervise my children and to keep a lookout, and I encourage parents to do so.

The population within Australia is an extremely mobile population. This bill in itself would not work if it was not being picked up in other states. This is part of a national program, and I commend all governments for jumping on board.

The key element is, of course, about the offender reporting provisions, and I would like to discuss some of those quickly. A reportable offender must report to any police station other than a restricted police station in the locality in which they are currently residing or, in the case of a directive being made, to the place so directed. For example, in the case of forensic patients the Police Commissioner may approve all authorised mental health service providers as places to report. A reportable offender must make their initial and annual report in person. Any other report that a reportable offender may be required to make may be made either in person or in any other way permitted either by the regulations or by the Police Commissioner. In the case of a reportable offender having a disability that makes it

impracticable for them to make a report, then any parent, guardian, carer or other person nominated by them to accompany them may make the report on their behalf.

When making a report to a police station the reportable offender is entitled to make the report in a place that is out of the hearing of members of the public, and they have the right to be accompanied by a person of their own choosing. If the reportable offender is not proficient in English then the police may arrange for an interpreter to be present when the person is making their report. However, the police must not allow the interpreter to be present unless they have signed an undertaking not to disclose any information derived from the report unless required or authorised by law to do so. As soon as practicable after receiving the report, the police must provide written acknowledgement of the person having made the report. This must include the name and signature of the police officer as well as the date, time and place where the report was received. If a report is not being made in person, then the police officer receiving the report must give the person making the report a unique reference number and record that number on the relevant reportable offender's file.

When making a report in person, the person making the report must provide proof of their identity in the form of a drivers licence or other form of prescribed identification to support the details being made in the report. The offender must also provide a passport style photograph of their head and face. When the person making the report is not the reportable offender, then that person must produce some form of prescribed identification to support their claim. If, after examining all of the material related to the identity of the reportable offender, a police officer is not reasonably satisfied as to the identity of the reportable offender, then the officer may take the fingerprints of the person in question. Similarly, the legislation makes provision for police to photograph the reportable offender, including any part of their body with the exception of their genitals, the anal area of their buttocks or their breasts in the case of females and transgender persons. The police are empowered to retain any documents, fingerprints or photographs related to the reportable offender to be used for law enforcement, crime prevention or child protection purposes.

Special provision is made for reportable offenders who live more than 100 kilometres from the nearest police station. The member for Gregory spoke about difficulties faced by offenders who live in the bush. Included in these provisions is allowance for the reportable offender not to comply with the time limit for making a report in person providing they contact the police before the time limit expires. The police may agree to allow the report to be made at a specific time that is after the expiration of the time limit at an agreed specified place. Agreement may also be made for the reportable offender to provide the police with the required information by telephone or some other means of communication. Any agreement made under this provision must be recorded and the required reference number be provided to the offender.

Reporting obligations may be suspended or extended for the reportable offender for any period during which they are either in government detention or outside of Queensland. When a reportable offender goes into government detention for any reason, their reporting obligations are suspended for the period of their incarceration, and the clock starts again upon their release from custody. They do not get any time off for being inside.

I would like to congratulate the minister, I would like to congratulate the officers of Task Force Argos and I whole heartedly commend this bill to the House.

Sitting suspended from 12.59 p.m. to 2.00 p.m.

Madam DEPUTY SPEAKER (Ms Male): I welcome to the public gallery people from the Bli Bli Uniting Church in the electorate of Nicklin.

Mrs ATTWOOD (Mount Ommaney—ALP) (2.00 p.m.): I rise to support this bill as I believe it goes a long way towards keeping the young and the vulnerable out of harm's way by keeping tabs on sex offenders. The legislation will make it mandatory for child sex offenders to report certain personal details to police when they are released into the community. The information will be kept on a register that is maintained by police. The Police Commissioner will arrange for the child protection register to be established and maintained. The register will contain information in respect of each reportable offender that includes: their name and other identifying particulars; details of each class 1 or class 2 offence for which they have been found guilty or with which they have been charged; details of each offence of which they have been found guilty that has resulted in the making of an offender registration order; the date on which they were sentenced for a reportable offence; the date on which the offender was released from government detention; and any other information that is considered appropriate.

Access to the register is to be restricted to persons who are authorised to do so. Personal information contained on the register is only to be disclosed by an authorised person in circumstances authorised by the Police Commissioner or as otherwise required by law. Confidentiality provisions will ensure that a person who is authorised to have access to the register must not disclose any personal information in the register except in circumstances authorised by the Police Commissioner or otherwise required by law.

The penalty for non-compliance is 150 penalty units or two years imprisonment. Provision is made for the Police Commissioner to release personal information from the register to a corresponding register for the purposes of a corresponding act. In the case of protected witnesses, the Police Commissioner is to ensure that the personal information contained within the register cannot be accessed by any other person than a person who has been authorised by the officer responsible for the operation of the witness protection program.

Reportable offenders do have some limited rights in relation to the register. They may request a copy of all the reportable information that is held in the register that pertains to them. The police must comply as soon as practicable after the request has been made. Should the reportable offender find that any of this information is incorrect they can ask for the information to be amended. If the police are satisfied that the information is incorrect then they must comply with the offender's request.

A review process provides a mechanism for those persons who have been erroneously included in the register to request a review of their circumstances. If a person believes that their personal information has been placed on the register because of some administrative error they can apply for a review of the decision to place them on the register. Upon receipt of this application, which must be made within 28 days of the person being given notice of their reporting obligations, the Police Commissioner must provide the person with a reasonable opportunity to present their case before making a decision. After the decision has been reviewed, the Police Commissioner will decide whether to confirm or revoke the decision and provide the person with a written notice of the outcome. In the event of the Police Commissioner deciding to revoke the decision then the personal details of that person will be removed from the register.

Provision has been made to protect persons acting in an administrative capacity from personal liability for an act done honestly and without negligence under this legislation. In respect to spent convictions, provision has been made for the fact that an offence for which the offender has been found guilty becoming spent does not affect the status of the offence as a reportable offence for the purpose of this legislation.

This bill, in summary, aims to reduce the risk of repeat offending through the offender knowing that they are not out of sight or out of mind of the police. The children and the community in Queensland may feel more secure knowing that the authorities have more control over the movements of these sometimes silent predators. I commend the bill to the House.

Mrs LIZ CUNNINGHAM (Gladstone—Ind) (2.04 p.m.): Today we debate further child protection legislation and I commend the minister for the work that has been done in relation to this bill. The bill will be called into action on the basis of two reportable categories of offences: class 1 offences, which include serious offences involving sexual intercourse with a child or the persistent sexual abuse or murder of a child; and class 2 offences, which are other reportable offences where there is an express sexual element to the offence.

During the debate of other bills in this House every speaker has highlighted how dependent our children are on the legislature in Queensland and in other Australian jurisdictions to, as much as possible, protect them from these types of predators. Children are very vulnerable. If these types of crimes are committed against them, they often spend their lifetime reliving that event, particularly in relation to the more serious offences.

Perpetrators of these types of crimes, as recognised in the debate on legislation yesterday, are people who often do all in their power to place themselves in situations where they can observe or have contact with children. This legislation will require individuals convicted of one of those offences to automatically be required to fulfil reporting requirements. I commend the minister on there being no right of appeal. That reflects the community's position. Particularly in relation to the last round of offences that were reported, many Queenslanders were struck by the quantum of people involved and the number of offences each person was alleged to have committed. It was sobering for people in Queensland to see the demographic and socioeconomic mix of perpetrators and the fact that some of the offences had been carried on for so long. Although people who act for perpetrators will say that they are too onerous, I believe that the non-appeal provisions and the reporting provisions will be very much welcomed by the community.

The sorts of details that will be required to be kept are on a very long and detailed list but one that will, in time, bring its own rewards, particularly in terms of being able to track a repeat offender if they have already been required to report their name and any other aliases that they have been known by; the period in which they were known by those respective names; their dates of birth; the address of premises where they generally reside—not just one primary place of residence, but if they have a situation where they may reside in a number of places each of those localities will be required to be registered; the names of any children who generally reside in the same household or with whom they have unsupervised contact; and the type of employment that they carry out.

There will be some overlay in this because of the blue card requirements. There will be some double protections and some exclusions that will be brought into play simply because of the process with the blue card. The list will contain the name of their employer and the address of any place where

their employment is carried out and—an important detail—affiliations with clubs or organisations where children are members also. I again commend the minister's officers and those who drafted this legislation for including that in the list because in terms of evidence and police inquiries in the future it will create a very tangible link that will enable police to have an opportunity to follow up on suspects who are more likely to be involved in this type of activity. The list will also contain the make, model, colour and registration number of any motor vehicles they own or that are generally driven by them as well as any physical markings, either tattoos or birthmarks, because they are identifiers.

Often victims only catch a glimpse of the person, particularly if it is an aggressive assault rather than an assault by somebody who is familiar to them. They may only catch a glimpse of the vehicle. Having all this information on a register will be helpful to the police and the victims and, hopefully, incredibly unhelpful to perpetrators. Information about their criminal record overseas, whether they have been in government detention and whether they are going out of the state for a period greater than 14 days will be included in the register.

There will be those who will act for perpetrators who will say that the reporting requirements are too onerous. As the minister said in her second reading speech, these people should lose some of their rights when they have taken away the rights of others. I reiterate that this reflects where the community is at in terms of crimes against children.

I am not sure whether this issue is caught up in this piece of legislation, but I wanted to put it on the record. The police department has a victim support group and a liaison officer in most areas. Those officers do a wonderful and very sensitive job in supporting particularly children but also adults who have been the victims of crime. I am sure that there are going to be instances where the reporting process breaks down. Recent information I have been given is that the support the officer in my area has given to people going through the court process has been exemplary. It certainly gave the victims peace of mind. The officer keeps them up to date with the court process and the release of the prisoner.

I commend the minister for the actions she has taken in terms of further increasing child protection. I believe this legislation will, in the long term, make it easier for police to piece together small fragments of information from both the victim and witnesses that may identify a repeat offender. I commend the bill to the House.

Ms STONE (Springwood—ALP) (2.11 p.m.): I am very pleased to speak in the debate on the Child Protection (Offender Reporting) Bill. The provisions of this legislation make it mandatory for a reportable offender to comply with their reporting obligations. They have to keep the police informed of personal details for a period of time after they are released into the community. Failure to comply, without having a reasonable excuse, will result in a maximum penalty of 150 penalty units or two years imprisonment. In determining whether a person had a reasonable excuse for failing to comply with their reporting obligations, the court will consider a number of factors including the person's age and whether they have a disability that affects their capacity to understand and comply with their reporting obligations.

It is an offence to provide false or misleading information to the police. This carries a maximum penalty of two years imprisonment. I am sure all these provisions are very welcomed by the community. There is no time limit for prosecutions undertaken for the offences under this legislation. Proceedings can be commenced at any time. Provision is made for a bar to the prosecution of a reportable offender for failing to report leaving Queensland if they are found guilty of failing to report their presence in a foreign jurisdiction as required by the corresponding act.

A reportable offender is to be given written notice of their reporting obligations and the consequences that may arise if they fail to comply. This written notice is to be given to the offender as soon as practicable after they have been sentenced for a reportable offence, been made subject to a offender reporting order or released from government detention.

If a court imposes a sentence or makes an order that results in a person being a reportable offender, then details of the sentence or order must be provided to the police as soon as practicable after that has been made. Police must also be advised if the court makes an order that removes a reportable offender from the ambit of this act. The police are required to give written notice to a reportable offender of any changes to their reporting obligations since their last notification.

The Police Commissioner may direct a supervising authority to provide police with personal details of a reportable offender. For example, if a police officer is unable to locate a reportable offender because that person has failed to report, then they may ask the supervising authority for the offender’s address. Supervising authorities are to notify police of particular events concerning reportable offenders as soon as practicable either before or after they begin an unescorted leave of absence, move out of Queensland or cease to be in government detention. If an offender ceases to be subject to a supervision order, the supervising authority is to give written notice of that fact to the police.

At any time the police may cause written notice to be given to a reportable offender advising them of their reporting obligations and the consequences for failing to comply with these obligations. Provision has been made to empower police to detain a person whom they have reasonable cause to

believe is a reportable offender who either has not been given notice or is otherwise unaware of their reporting obligations. The detained person must not be held any longer than is necessary to ascertain whether or not they are a reportable offender and if they have been given notice of their reporting obligations.

Division 9 of the bill makes provision for any reportable offender who is currently participating in a witness protection program to have their reporting procedures modified to accommodate their circumstances. A person who is notified of an order being made may apply in writing for the decision to be reviewed. This application has to be made within 28 days of receiving the notification. A person who is aggrieved by a decision of the Police Commissioner in relation to an order made under this division may appeal to the Supreme Court. This must be made within three days of having received the decision. Any decision that is made by the Supreme Court in respect of the appeal is final. While community safety certainly comes first in terms of this bill, there is also a fair process that is involved.

I recently visited members of Task Force Argos and observed detectives undertaking covert operations policing the Internet chat rooms. What I saw was very disturbing. Although it was made very clear that the chat was with a person in their early teens, most of the conversations were very clearly inappropriate and of a sexual nature. Exposure to sexual acts through web cameras was readily available.

Those parents who do not know much about the Internet or using a computer would be extremely shocked to see how easy it is for kids to access inappropriate material and persons who are using it to procure children for sexual acts. The mistake made this week with the web site for *Australian Idol* certainly highlighted this. Task Force Argos gathers intelligence and shares it with both national and international law enforcement agencies. It is determined to protect children from the threat of Internet paedophilia. It recently launched a book, poster and web page to educate parents on the dangers of online chat rooms.

I was very pleased to see this information conveyed throughout the electorate of Springwood. Springwood Central State School led the way by publishing some of the information contained in the booklet *Who's chatting to your kids*? in their school newsletter and informed parents of where they can find out more information.

I know that officers of Task Force Argos were very keen to see Queensland support the National Child Offender Register introduced earlier this year. This bill fulfils Queensland's commitment to the national register. Task Force Argos's dedicated officers are very special people who see the worst behaviour possible in human beings. Any support the community or the government can give, through legislation such as this, will only assist to increase their already high rate of arrest.

I take this opportunity to congratulate Minister Spence on her push for a national child abduction alert system. This indeed is a sensible approach as child abduction does not stop at the state borders. We have national radio, we have the national TV networks and we have the national highways that all lend themselves to getting important information out early when police believe a child has been abducted. I am pleased that Queensland will lead the way and implement this system. However, if we really are going to make a concerted effort to protect children, then it really does need to be national system. I congratulate the minister on making this push and getting this on the national agenda.

As this is the last week of sittings, I would like to mention schoolies week. So far—and I stress this because there are a few more days to go—it has been extremely good. I believe there are several reasons for that. Firstly, the life skills that many high schools teach just before schoolies week certainly show the students their responsibilities not just for schoolies but for life. I believe that education has certainly played a part in this year's schoolies week.

When I go to those education forums I speak on the liquor laws. What kids tell me is that they are going down the coast to have a good time. They are going down to the coast with their mates whom they may not see again after they start uni or jobs or whatever they decide to do. They are going down there to have a good time and that is what they are doing.

I have always asked them to come back to see me and tell me if there is anything they think we could be doing better or ideas they have. The worst I have had said to me is, 'We ran out of food and we had three days left,' or, 'I got sunburnt on the first day and could not enjoy the rest of the week.' I always say to the schoolies, 'The simple message is to take plenty of food and do not get sunburnt on the first day.' I think that is the message that they need most.

The second reason it has been such a great year is that the police have done a fantastic job, and Assistant Commissioner David Melville and his team should be congratulated. They have done a lot of planning, and a lot of hard work has gone on behind the scenes to ensure that our schoolies are kept safe, and that is what they have done. The good policing during this time certainly is a factor, as are the thousands of tremendous volunteers. They are just wonderful. They do a lot of work for the schoolies in keeping them safe. Recently Hotel Chaplaincy, the Minister for Communities and the member for Mansfield visited John Paul College at one of the schoolies sessions. Hotel Chaplaincy was giving a talk to schoolies on hotel accommodation providers and their responsibilities if they choose to stay there. As

a government we gave Hotel Chaplaincy $30,000 to assist it to do this. The other thing I have been able to tell schoolies is that Hotel Chaplaincy has about 40 tonnes of red frogs. If they do run out of food, ring Hotel Chaplaincy and it will supply them with some red frogs. This Friday night I am going to schoolies with the Minister for Emergency Services to talk to the ambulance officers, the volunteers and the police.

I also want to take the opportunity to thank Senior Constable Glenn Ryder of Slacks Creek Police Station and Senior Constable Steve Shipman and Senior Constable Tom McKinnon from Springwood Police Beat, who took up the challenge of being a teacher for the day by doing schoolies talks at local high schools. They, too, gave schoolies some really valuable information not just for schoolies week but for life. I was able to join them on behalf of the Liquor Industry Action Group in Logan to try my skills at being a teacher. I must say that I was very poor at it, and I probably have a much better appreciation of teachers after doing these school talks that I have been doing for the past several years.

Once again as this is the last week of sittings, I want to take the opportunity to inform the House that Superintendent Brett Pointing will be representing Queensland in Washington next year doing some FBI training. He will be doing us proud. He is very proud to be going. He will be a great ambassador for this state. I wish him a very safe trip. I know that he will come back with even more ideas for keeping our schoolies safe.

Our Queensland legislation reflects the community's abhorrence of paedophiles and other sex offenders. This legislation and the Dangerous Prisoners (Sexual Offenders) Act 2003 gives the best possible protection under the law against the most dangerous paedophiles and other dangerous sex offenders, and I commend the bill to the House.

Ms LEE LONG (Tablelands—ONP) (2.22 p.m.): I rise to support the Child Protection (Offender Reporting) Bill 2004. This bill imposes obligations on child sex offenders or people who commit other serious offences against children by making it mandatory for them to provide police with their personal particulars after they are let out of jail. The length of time an offender will be required to keep police updated will vary, so it is not necessarily going to be for the rest of their lives. It is an imposition; that is true. However, similar requirements in other jurisdictions have been tested in law and found not to be an additional punishment. These obligations are to be imposed retrospectively but are not difficult to meet, will not hinder a person in their lawful daily activities, will benefit the police and, importantly, will improve the safety of our children.

Recidivism rates for sexual offenders are often assumed to be far higher than for other offenders. However, statistics from the Australian Bureau of Statistics indicate otherwise. Figures from January this year, when prisoners were assessed on whether they had been imprisoned in the past and, if so, for what, showed that, males and females combined, 40 per cent of sexual assault prisoners had been in jail for a similar offence. That is a very significant rate and more than justifies the actions being proposed under this bill. But for comparison purposes, I point out that the repeat offender rate for robbery was 60 per cent, assault 64.9 per cent and motor vehicle theft 77.5 per cent. It appears that the rehabilitation process is failing significantly across a range of offences.

I do believe that the register on which this information is kept should be fully protected with regard to privacy. This is so those offenders who have served their time and have rehabilitated themselves and are meeting their reporting obligations are otherwise free to get on with their lives. I do not say that with any lack of regard for their victims. However, if we are to have a justice system and a penal system based on rehabilitation, we should ensure that where possible those who are rehabilitated are allowed to become productive members of society. Given the nature of the crimes we are discussing here, I believe any rehabilitated offender would readily accept these additional reporting requirements as a reasonable demand by the community. I support the bill.

Ms NELSON-CARR (Mundingburra—ALP) (2.24 p.m.): I rise to support the Child Protection (Offender Reporting) Bill. The page 1 headline in the *Townsville Bulletin* on Monday of this week summed up the contents of the paper's lead story in just one word. That word was ‘predators'. The subheading read, ‘North girls target of sexual attacks'. The report said that girls under 14 are the north's highest risk sex victims according to the latest statistics and the most common predators are men aged 30 to 49. Most offences took place in a residential dwelling, with 81 per cent of offenders known to the victim. In the northern police district, including Townsville and Mount Isa, there were 158 rapes and 396 other sexual offences last financial year. Of those victims, 159 were girls under 14, which was more than any other female age group. There were 43 boys under 14 who were sexually assaulted, making that the leading age group for male victims. They are absolutely shameful statistics.

Anybody who doubts the need for mandatory registration of offenders should carefully consider that report and reports of a similar nature about other regions. No doubt arguments about civil rights will be trotted out, but what about the civil rights of the victims? They have so often been callously overlooked in the past. Surely the victims warrant more rights than the perpetrators, and the community deserves as many safeguards against sexual predators as Queensland can muster. I find it shocking that since mandatory registration of offenders as opposed to court ordered registration was introduced in New South Wales in 2000 at least 36 of that state's child sex offenders moved to Queensland. Another 64 went to other states. Queensland must have an automatic—not a discretionary—court

registration system to ensure that all known offenders, whether they be from Queensland or elsewhere, routinely go on to the register—no ifs or buts. Perhaps it may also discourage sex offenders from interstate moving here.

I am very pleased that the new scheme of registration, Queensland's commitment to the national model of the Australian child offender register, will be much more thorough than is currently the case in keeping tabs on offenders who pose a risk to children. Because of its travel reporting requirements, the new registration system will also prove effective against those offenders who disgrace Australia by travelling to Thailand, Bali and other parts of the world specifically to engage in under-age sex. I agree with Minister Spence that those who commit offences of a sexual nature against children should automatically lose some of the rights that citizenship engenders. Constituents in the Mundingburra electorate and throughout north Queensland would, I believe, agree overwhelmingly with the need to take every measure possible to protect our children and young people against sexual and other abuse. Of course the offenders themselves would be bitterly opposed to this bill, as they would be opposed to anything that seeks to curb their depraved activities. I welcome this legislation and look forward to it coming into force.

Mrs PRATT (Nanango—Ind) (2.27 p.m.): I rise to support wholeheartedly the Child Protection (Offender Reporting) Bill 2004. The purpose of the bill is to require particular offenders who commit sexual or other serious offences against children to keep police informed of their whereabouts and other personal details for a period of time after their release into the community. The intent of this, which I support wholeheartedly, is to reduce the likelihood that they will reoffend and to facilitate any investigation and prosecution of any future offences they might commit. I have said it before and I will say it again: quite frankly, as far as I am concerned, anybody who is a recidivist child molester should be castrated. I do not care how it is done. I would give them such short shrift. I do not think that I would even give them anaesthetic. The truth is that they abuse their privileges as adults and in positions that they might hold in society. I do not think that they even think of the victims and the effect that their actions have on their lives. If they even tried to put themselves in that child's position, I do not think that they would understand. If they did, if they realised how hard it is for people who have been abused to cope with it during the rest of their life, they would stop what they are doing.

I believe that this bill may offer the victim some sort of security in that they will know that the offender is being monitored to some degree by the police. Too often we hear about how easy it is for children to enter chat rooms on the Internet and the predators who are also in the chat rooms just waiting for a youngster to come online. Obviously, a lot of these people start off by pretending that they are a lot younger. They study how to interact with these youngsters. They learn what words to use. They literally set out to trap them. They are nothing more than predators in anybody's book. The trouble is that youngsters can find it exciting and in some ways a little bit titillating because there is a hint of danger, although they feel pretty safe because they are separated by computer screens. But the contact never ends there. Often we hear of these youngsters going out and meeting these predators somewhere and disappearing for some time.

I do not believe that the personal details that have to be revealed by this bill places an onerous burden on anybody. I would be surprised, though, if an offender actually changed his name and went by an alias that they would declare that alias to the police. Everything that those offenders do is calculated. I am pretty sure that would be one detail that they would not reveal. The bill stipulates that such people should notify any change of address or employment or club membership. To a degree I think that there is a certain amount of hope and trust that these people will do the right thing. Any membership that would be easy to trace, such as membership of a Lions club or something like that, would be pretty easy for them to reveal, but I am pretty sure that they would try to hide their membership of some other clubs. The offender is also required to notify of any vehicle they drive, which is obvious, and tattoos and other defining marks, which is also pretty obvious. Unlike the impact of a perpetrator's crime on a victim, I do not really see that these requirements would impact on a perpetrator's life in any real way at all. I honestly believe that when somebody violates somebody's rights, they deserve to lose some of their own.

I note that the legislation will have a retrospective effect in that at the date of commencement persons who are in custody or on post-prison community based release, community based sentence, existing continuing detention or supervision orders under various acts after being convicted of sexual offences against children or other specified offences will be required to register with police regardless of when the offence was committed. I have often said in this House that I am opposed to retrospective legislation. But as I said yesterday, when it comes to children it is up to us to protect them. So in this instance, I support the retrospective effect of this bill.

I also note that the explanatory notes state that the purpose of the scheme is not to punish. I do not regard it as a punishment; I regard it as an obligation on them to report. I commend the minister for pursuing this matter to protect our children. Although I cannot possibly get the minister to agree with me that we should castrate these offenders—which I would like the minister to do—maybe, through this bill, some security will be offered to the victims of these people who perpetrate their reprehensible acts. I support the bill.

Mrs MILLER (Bundamba—ALP) (2.33 p.m.): I rise to speak in support of the Child Protection (Offender Reporting) Bill 2004. Sex offenders come from all walks of life. They come from every occupation and they come from all socioeconomic levels—from the megarich to the very poor. These offenders have the propensity to offend right throughout their lives. In other words, once a sex offender, always a sex offender. So when it comes to children, we must the protect them. We must make sure that as far as possible they are protected from these animals. In my view, paedophiles are the lowest form of life. They like to have regular contact with children, whether through their work, through those children's families, or through community organisations. Paedophiles are clever. Paedophiles are sneaky. They make out that they are trustworthy, but they are criminals—in fact, evil criminals—who use and abuse children.

I am pleased that under this bill persons who are convicted of scheduled offences will be required automatically to comply with the requirements to report to the police. Clause 16 of the bill outlines the details that must be reported. They are the offender's name, pseudonym or other name that they have been known by; their date of birth; their address or, if they tend to move around—and many of them do—the addresses or locations in which they can be found; and the names as well as the ages of children who reside with them or with whom they have regular unsupervised contact. In relation to employment, the offender must report the name of their employer, the nature of their employment, and the addresses of the premises where they are employed. The offender also must report details of their affiliations with clubs or community organisations that conduct children's activities and also child membership. In relation to cars owned or even cars that are driven by the offender, there is a requirement to report the make and model, the colour and the registration number. In relation to distinguishing marks, the offender must report the details of tattoos and removed tattoos, or any other marks that need to be reported. The list goes on and on.

Our government is enabling the police to keep track of these offenders in our community. Due to this legislation, wherever they are, wherever they work, whatever community organisations they belong to, the police will be aware of them. These offenders are also required to report to police on an annual basis.

This legislation is about protecting our children from criminals—from paedophiles. Children are our most precious resource and our government is determined to protect them. I would like to congratulate Minister Spence and also Police Commissioner Atkinson on this legislation. I think that it is absolutely fantastic legislation, because our children really are our No. 1 priority. I commend the bill.

Ms MALE (Glass House—ALP) (2.36 p.m.): I rise to speak in support of the Child Protection (Offender Reporting) Bill 2004, which mandates that child sex offenders and other serious offenders against children must report their personal details and whereabouts to police after they are released into the community. The reason for this bill is to reduce the chance and likelihood of offenders becoming anonymous in their communities, thereby giving them the chance to reoffend.

Recently, we saw a large number of arrests of child sex offenders and child pornography purveyors and users. These people are the lowest of the low and we need to make sure that they are severely punished and then monitored. I would like to take this opportunity to praise the police officers who have been running Task Force Argos and finding and tracking these offenders, which then leads to prosecutions and a safer environment for our children.

The Queensland Police Service also released a publication advising parents how to keep their children safe while using the Internet. I recommend that all people who have a computer in their home with access to the Internet read this publication, implement its recommendations and talk to their children about the dangers that are out there and of the predatory behaviour of some not-so-nice people in the community.

In relation to the reporting regime that this bill is dealing with, the initial report must be made within 14 to 90 days depending on the status of the offender. For example, a reportable offender who enters government detention in Queensland either on or after the commencement date of this legislation as a consequence of having been sentenced for a reportable offence and then ceases to be in government detention whilst in Queensland is required to report their personal details to the Commissioner of Police within 28 days of being released from government detention. A reportable offender whose reporting obligations have stopped because the reporting period has expired but who is then sentenced for another reportable offence must make a new initial report either within 28 days of being sentenced or 28 days after release from government detention, whichever occurs later.

A reportable offender has to report a number of personal details to police. These include their name, including any other names by which they are or have been known, their date of birth and the address of each of the premises at which they generally reside. A reportable offender must also report the names and ages of any children who generally reside in the same household as them, or with whom they have regular unsupervised contact. Similarly, a reportable offender must provide details of their affiliations with any clubs or organisations that have child membership or child participation in its activities. If the reportable offender is employed, they must provide details about the nature of their employment, the name and address of their employer, as well as the address of each of the premises at

which they are generally employed. If they are not employed at any particular premises, then they must name each of the localities in which they are generally employed. The reportable offender must provide details of the make, model, colour and registration of any motor vehicle owned by or generally driven by them. Additionally, the reportable offender must provide details of any tattoos or permanent distinguishing marks that they may have, including any removal or changes to their identifiers.

As members can see, these are very important details that we need to keep track of. We need to be able to work out where they are—not just where they are living but also where they are working and where they are having their recreational time. Once again, it comes back to the fact that it is all about keeping children safe and keeping other members of our community safe. It is a very important bill that will be implemented in a very exacting manner. I am very pleased to see that.

Persons who are required to report under a corresponding act in another jurisdiction must contact a person nominated by the Commissioner of Police within seven days of entering Queensland. This contact can be made by telephone or some other prescribed means, and the details of contact persons will be available by contacting any police station.

In respect of ongoing reporting obligations, a reportable offender must report on an annual basis by the end of the calendar month in which the anniversary of the date on which they first reported falls. A reportable offender must report any changes to relevant personal details, such as a change to the place where the offender or a child usually resides, when the offender has unsupervised contact with a child, changes to employment or changes to a motor vehicle usually driven by the offender. Any changes must be reported within 14 days of that change having occurred.

If a reportable offender intends being absent from Queensland for 14 or more consecutive days then they must report their travel intentions to police. They must report their intended travel plans at least seven days before leaving Queensland by providing details of each state, territory or country they intend visiting during their absence. The information must include details of each address or location that they intend visiting as well as the approximate dates and duration of their stay. They are also required to report the approximate date of their return to Queensland. Should a reportable offender decide to change their travel plans whilst they are outside of Queensland, they are required to report their intentions to the police as soon as practicable after making the decision. This report can be made via facsimile or email to the police.

Should a reportable offender intend travelling interstate on a regular basis, on an average of at least once a month, then they are required to report their intention to leave Queensland to the police. They must report their reason for travelling and the frequency and destination of their intended travel. If they are intending to travel outside of Australia then, as soon as they can after receiving this information, the Police Commissioner will advise the Commissioner of the Australian Federal Police of the offender's travel plans. This capacity to share information will be used to counter child sex tourism.

As I have said previously, this is a very important bill. It will assist Queensland police officers and police from other jurisdictions to monitor child sex offenders. As has been stated before, they exhibit notoriously predatory behaviour. This is a way of tracking them, making sure that the police know who they are and where they are at any given time. It means that we can have a much safer society. I commend the bill to the House.

Mr BRISKEY (Cleveland—ALP) (2.41 p.m.): Yesterday this House passed a bill to expand the number of people in the community who will be covered by Queensland's blue card. Those changes provided further protection for Queensland children. Today another bill is before the House which, once passed, will further protect Queensland children from those in our society who wish to harm them.

The Child Protection (Offender Reporting) Bill will enable a child protection register to be set up. This will require offenders to report their whereabouts so that police can keep track of them. Mandatory reporting by child sex offenders will be Australia-wide and will ensure that wherever those convicted of serious offences against children live police will know their whereabouts.

Unfortunately, there is a high rate of recidivism amongst child sex offenders. Because of this a register of this kind is necessary. It is an important duty of government to protect children from harm. The community expects it, and rightly so. Therefore, I fully support this bill and the setting up of the register.

Hon. J.C. SPENCE (Mount Gravatt—ALP) (Minister for Police and Corrective Services) (2.43 p.m.), in reply: I thank all members of the House who spoke on this legislation for their support of the bill and their contributions to the debate. I would just like to reflect for a couple of minutes on how far we have come in this Queensland parliament. It gives me great pleasure today to see men and women from both sides of the debate speak about an issue such as child sexual predators with such understanding, authority and sincere interest. I doubt that we would have seen a debate such as this occur in the Queensland parliament a decade ago, for example. The fact is that many members of parliament have chosen to speak on this legislation because they understand the nature and the extent of the problem we are talking about in paedophilia.

The members who spoke in this debate showed a great understanding of the methods, the motivation and the profile of paedophiles generally. They showed an interest in protecting children and I think they showed an understanding of the great difficulties parents face today in balancing the need for children to have independence and some freedom with our need to protect them. We cannot wrap them up in cotton wool—and nor should we—but we do have to be vigilant and ever watchful over our children. On the other hand, we have to be watchful over those who would prey on our children.

The measures that we agree upon today are seen to be an affront to certain members of our society who would like to protect civil liberties. But all members who spoke on this legislation today, who are indeed representative of the majority of Queenslanders, appreciate that the establishment of a child paedophile register such as this just might be a useful tool—we are hoping that it will be—in this fight against child sexual abuse in the future. This is not a punishment for paedophiles; it is a way for them to meet their obligations to society, by reporting their details annually to our Police Service so that that information can help police in Australia and indeed overseas keep a watchful eye on their activities.

Both the members for Gregory and Burdekin mentioned the allocation of costs, which is a legitimate issue to raise in a debate such as this. The funding provides for Queensland's contribution to the CrimTrac database, modifications to the Queensland Police Service databases and a dedicated full-time registry unit within the child safety coordination unit in the Queensland Police Service. This unit will consist of eight staff, including a senior sergeant, two investigators and two intelligence analysts.

Both the members for Gregory and Burdekin mentioned compliance. Police will allocate case managers in the regions, and resources will be allocated to monitoring compliance according to the assessment of risk. Changes to QPS databases will flag any changes to personal details of offenders such as the updating of drivers licences. These changes will be passed on to case managers to follow up.

The member for Gregory mentioned reporting in remote locations. Alternative reporting arrangements will be determined on a case-by-case basis but could include police attending a remote station or property. I acknowledge the offer of the member for Gregory to work closely with the government on child protection measures, and I welcome his support. The member for Burdekin also drew the attention of the House to the amendment I will move during consideration in detail. I agree that this amendment is vital, particularly in light of international police operations to stamp out international paedophilia.

I would also like to acknowledge the contribution of the member for Pumicestone. In particular, I acknowledge the work of the Bribie Island residents involved in Citizens Against Indecent Behaviour and acknowledge the member's recognition of the recent effort by police in producing the brochure *Who's chatting to your kids?* and in relation to the national child abduction alert system. This was also mentioned by the member for Springwood. I know that this is an alternative that is close to her heart.

The members for Mount Ommaney, Capalaba, Ashgrove, Currumbin, Tablelands and Redlands also gave a valuable perspective and demonstrated their understanding of the need for these laws. The member for Burnett highlighted the statistical and analytical evidence that supports this legislation.

The member for Gladstone made mention of the feelings of victims. I think this is fundamental. While this register will track perpetrators, the Queensland Police Service and other government agencies work closely to assist the victims of crime. These victims can have some comfort that this will be a valuable tool to track offenders and limit recidivism.

One thing I have observed since becoming the Minister for Police is the wonderful work our police officers do in dealing with victims on a daily basis. They do not give up on victims and they give them tremendous support. I have spoken personally to many, many victims of crime who have praised the efforts of our police officers in keeping them informed on the activities police are undertaking in the investigation of a case and how that case is proceeding. It has been a revelation to me as the Police Minister just how much work the police do in keeping contact with victims and how important they see that as a part of their responsibilities of being a police officer. It is something that I think we should all be very proud of.

Both the member for Mundingburra and the member for Bundamba outlined the importance of reporting in tracking paedophiles because of predatory behaviour. Many members have made mention of the fact that paedophiles generally are male and that, while we have some understanding of their activities, we still do not understand the extent to which they can be turned around, the extent to which prevention programs might make a difference to them and the extent to which we can arrest their offending behaviour. Because we do not know that sort of information, we need registers such as this one. I suspect that, from having a register like this in place, in 10 to 20 years we will have a much better understanding of the nature of paedophiles and whether we can track and change their behaviour.

The member for Nanango outlined her support for this limited form of retrospective legislation which is needed to protect children from further harm. I know that she has a great interest in child protection matters, about which she speaks regularly in the chamber. I thank her for her support. The

member for Glass House outlined her support for provisions of the bill that deal with the details required to be given by offenders to police under the reporting regime both in this state and other states.

Finally, the member for Cleveland highlighted the positive benefit of the child protection offender register being adopted nationally by all other states. This National Child Protection Register is an issue which is debated regularly by my ministerial colleagues from other states. While we agreed on the fundamentals of a National Child Protection Register, some states have chosen to deviate slightly from the standard model. Our Queensland model is very much in keeping with, and is as strong as, the national model. We understand that these strong measures are needed to ensure that we continue to track child offenders in this state.

I believe the close relationship our Queensland Police Service has with police in other states, and indeed with the Federal Police, will ensure that this information is exchanged smoothly without undue restrictions in other states. It is going to be important that police in various jurisdictions work very closely together if we are to keep a national watch on the activities of paedophiles. We know that these are transient people.

My colleague from New South Wales tells me that since their paedophile register has been in place—and it has been in place for nearly two years now—a large number of child sexual offenders have left New South Wales for other states because they do not like the scrutiny and they do not like the observation. We know that many of these offenders have come to Queensland, in particular. The fact that we now have a register in Queensland which will be up and running from 1 January next year, and the fact that other states will have their registers in place early next year, will mean that there will be no point in these offenders trying to escape scrutiny in one state because police around Australia will be monitoring their movements.

The fact that police around Australia will now alert the Federal Police if these offenders are contemplating overseas travel will hopefully mean that they will think twice before going to foreign countries to practise their activities of offending against children. While we have done much in the last two years and, indeed, today to ensure that the activities of child offenders are tracked nationally, there is still much that we can achieve on the international stage to ensure that our law enforcement agencies work cooperatively together and exchange information.

It is an important initiative that we are all agreeing upon today. I know that it will be welcomed by many child protection advocates. I am hoping that as a result of this legislation today there will be Australian children who will be saved from being abused by child sexual offenders in the future. I commend this bill to the House.

Motion agreed to.

Consideration in Detail

Clauses 1 to 92, as read, agreed to.

Clause 93—

Ms SPENCE (2.55 p.m.): I move the following amendment—

1 Clause 93—

At page 59, line 14, '69'—
omit, insert—
'70'.

I table the explanatory notes.

Amendment agreed to.

Clause 93, as amended, agreed to.

Clauses 94 to 96, as read, agreed to.

Schedule 1, as read, agreed to.

Schedule 2—

Ms SPENCE (2.56 p.m.): I move the following amendment—

2 Schedule 2—

At page 63, after line 28—
insert—
'• section 26(3) (Possession of objectionable computer game)'.

Amendment agreed to.

Schedule 2, as amended, agreed to.

Schedule 3, as read, agreed to.

Third Reading

Bill, as amended, read a third time.

TRANSPORT INFRASTRUCTURE AMENDMENT BILL

Second Reading

Resumed from 23 November (see p. 3619).

Miss SIMPSON (Maroochydore—NPA) (2.57 p.m.): Mr Deputy Speaker—

Mr Johnson: Where's the minister?

Miss SIMPSON: I note that the minister and his staff are not here in the parliament.

Ms Spence: They will be here.

Miss SIMPSON: This is extremely important legislation and it has extraordinary powers.

Ms Spence: Don't you worry about that; they'll be here.

Miss SIMPSON: Is the minister coming to participate in this debate?

Ms Spence: You do your speech. They'll be here.

Miss SIMPSON: Well, there are serious issues.

Ms Spence: You carry on.

Miss SIMPSON: Quite frankly, this is important legislation, and I note that the minister is not here and there are some questions—

Government members interjected.

Mr DEPUTY SPEAKER (Mr Fraser): Order! The House will come to order and the member will continue with her contribution.

Miss SIMPSON: It is a miracle that an accident—

Ms Spence interjected.

Mr DEPUTY SPEAKER: Order! Minister! I call the member for Maroochydore, and she will be heard in silence.

Miss SIMPSON: Thank you, Mr Deputy Speaker. I note the arrogance of members of this House when we are being asked to pass legislation with extraordinary powers which are more about protecting the backsides of union heavyweights and protecting this government. We need clear assurances from the minister about these powers, because they are extraordinary powers of indemnification from criminal and civil action that this House is being asked to pass. That is why I wanted the minister to be present in the parliament: to provide those assurances and to listen to the questions which I will be asking in my speech on the second reading stage and following up on when considering the bill. So I do note with disappointment that the minister is not here in the House with his staff.

A miracle happened when we had this train derailment in Queensland, and we are all grateful that no-one was killed. We are all grateful that no-one was killed in this terrible train derailment which occurred recently near Bundaberg.

The opposition wants to acknowledge the excellent and fine work that was done by emergency services staff and volunteers to help those who went through this horrific event. The legislation that is being rushed through the parliament this week is allegedly about safety and providing investigators with the powers to investigate and indemnify those who provide information where they are compelled to provide that information.

The issues that I will be raising are serious issues. This parliament is being asked to indemnify people from civil and criminal liability for information that they provide to rail safety officers in the course of their investigation if they are compelled to do so. We need assurances in regard to this because people have been through a terrible crash and, potentially, there are future incidents where we do not want this to be a get-out-of-jail card to enable government to escape its legal responsibilities for compensation. There must be assurances from this government that parallel investigations will not be impinged upon and will not be affected by the way that investigations proceed when documents are procured under compulsion by rail safety officers and, potentially, those same documents are not available for the parallel investigations that are being conducted by the police.

These are serious issues and they need serious assurances from the government. We have questions about the way the legislation is drafted in that regard. It is ironic that this government—which has a lot of Labor lawyers—talked about the need to protect people's rights to be able to access compensation. Sometimes it has to be done through the civil courts. The legislation that is before the

House potentially raises those issues about making it harder for people to access documents which it may be necessary for them to access in the course of seeking compensation for injury or potentially death that has occurred as a result of negligence on the part of a state entity, in this case. Those are the assurances that we will be seeking.

There are some other extraordinary provisions within this bill. For example, it does not apply to other forms of transport. It does not apply to the bus and coach industry. It excludes them from these extraordinary indemnity provisions that this House is being asked to pass. The government will say, 'Oh, this is just mirroring federal legislation,' but it goes much further than the federal legislation does. This legislation also contains indemnities that relate to the CEO, the chief executive officer. I will be seeking the minister's advice as to why the CEO is also exempt from being called on to provide evidence in civil or other court jurisdictions. That is of concern to the opposition. I note that the minister is present. Why are there two different sets of rules? If it is really such a safety issue where frank and open inquiries are needed—actually, frank and closed inquiries, which is a contradiction in terms—why is it being applied to one mode of travel but not to these others? That in itself is a contradiction.

There is also the issue of the freedom of information laws. When members look at the section that is seeking to exempt information from access under FOI, they will find that we are not just talking about future investigations or what is going to be acquired in relation to this crash in subsequent weeks; we are also talking about information that has already been acquired. This in itself seems to be contradictory to the government's statement that this legislation is about providing the opportunity for witnesses to come forward in a frank way and know that their information is being provided in a restricted format.

Why are the FOI provisions being made retrospective? The proposed section states—

This section applies to any document obtained, received, or brought into existence, by a rail safety officer in relation to the derailment before the commencement of this section, whether or not the rail safety officer was carrying out an investigation at any relevant time.

Does this mean that, if warnings were given to government or to staff of Queensland Rail about safety issues, those matters would be captured by this clause and, therefore, be exempted under freedom of information?

Mr Lucas: Obviously not.

Miss SIMPSON: We are concerned about the wide scope of this exemption under freedom of information. It seems to go far beyond the stated intentions of the legislation and raises questions as to what other documents are out there and why these freedom of information provisions are being extended in this way.

As I said at the outset, we are thankful that nobody was killed in this accident, though we acknowledge that some people suffered terrible injuries. Often what happens after there has been an incident is that people will have it in their mind for some time, but those who have lived through the horrific experience will live with it for the rest of their lives. Unfortunately, despite the best efforts of medical science, help and rehabilitation, some people will bear the scars of this incident for a long time.

It is important to have a rail system where issues of quality and issues of safety can be fully investigated and fixed. It is equally important that we do not find ourselves in a situation where this parliament walks over the rights of people who may potentially seek to take legal action against government. Given the fact that government is the main provider of rail services in this state, why is it that we have the situation—supposedly in the name of public safety—where one entity has preferred status over all the others?

These are serious issues. These are issues that we will be pursuing further. The other matter that is of great concern is the indemnities for people if the evidence being taken by rail safety officers shows they were drunk or under the influence of drugs. I raised this concern with departmental officers in the briefing. I will paraphrase what they told me. They said that, basically, that evidence can be gathered by the police. It is more likely that the police will take that evidence in the first instance. That evidence is still admissible in a criminal case in their parallel investigation with the police, so do not worry about it. I have to ask: if that is the case, why should there be an exemption in this act in relation to evidence about somebody who has been drunk or under the influence of drugs who may, through their negligence, have created an incident or danger? It does not make sense.

I am fundamentally concerned that any government can provide this level of indemnity if a rail safety officer did collect evidence that showed someone was drunk or under the influence of drugs. We had an extraordinary situation in another jurisdiction only a couple of years ago when the Health Minister stated in this parliament that the indemnity provisions for health workers should not cover them where they have been criminally negligent, and that if they were operating drunk they should not be covered by the state. We did not have an argument about that; if a person who is drunk operates on somebody, they should be subject to the full force of the law. We knew that there were people who were not being criminally negligent and who were finding that they could not get the appropriate cover from their employer to deal with circumstances, but the government was muddying the waters.

Now we have this contradiction where there actually is the potential for people who are criminally negligent to seek an exemption from their liability if that evidence is gathered by rail safety officers. That is just an extraordinary and I believe unacceptable indemnity for this legislation to extend. It just does not make sense. How can the public interest be served by indemnifying somebody from criminal negligence when they have been acting under the influence of alcohol or drugs?

Mr Lucas: They don't have immunity from action at all. If they have been under the influence of alcohol, then the police will prosecute them.

Miss SIMPSON: But why have a provision whereby, if the rail safety officers have collected this information, they are indemnified? Why should that person who has been drunk or under the influence of drugs be indemnified on the basis of that evidence? It does not make sense to specifically include that type of evidence in that type of investigation and then say, 'Well, no, just trust the police. They've got their own parallel investigation. If they get the evidence then they will pursue that.' It does not make sense that the minister would go to the trouble of outlining that exemption in relation to an investigation where the RSOs have collected that information.

There is a range of contradictions that we are being asked to accept as being in the public interest. We are seeking better explanations than what we have had from the government to date for what I have already described as extraordinary legislation which has been brought about because this government has been threatened with strike action. It has rushed into the parliament with this legislation and we are being asked to support it. We will certainly be seeking better assurances than we have had to date in regard to the application and making sure that parallel investigations do not lock up information where that information may potentially not be able to be sourced from other avenues because it may be the solitary piece of information that is available. We present these concerns to the minister and seek his explanation.

Mrs LIZ CUNNINGHAM (Gladstone—Ind) (3.09 p.m.): At the outset I thank the minister for the briefing that we had this morning from Luciene, Wendy Bullock and Gary Mahon. I also thank the minister for the short amount of time he afforded several of the Independents a few moments ago. The content of this bill is not difficult to understand in objective terms. It is difficult to understand the implications of the bill because we have had so little time to digest the contents and obtain advice in terms of the actual extent of the impact and influence that this legislation will have.

When I read the legislation I had incredible concerns about the protections that are being afforded to witnesses and people who have information in relation to the Queensland Rail incident on 16 November. I could not help but believe that the basic premise of this legislation casts a slur on Queensland Rail staff. The legislation infers that staff cannot or will not tell the truth in relation to the incidents that occurred in the lead-up to and at the time of the accident. There has been a great deal of disquiet within the Queensland Rail family about the type of information that was released immediately after the incident occurred. In particular, there was a great deal of incredulity that whilst an investigation was stated to be underfoot, information in relation to the black box of the train—or whatever the appropriate technical term is—was released which clearly indicated that the train was speeding. That information was released without any other mitigating factors to support it or perhaps to take attention away from the drivers who, obviously with the release of the excess speed information, would come into sharp focus.

The concerns that I have relate in particular to the ramifications that the protections this legislation affords will have on victims of the accident. We were advised that there is one other state in Australia with legislation similar to this—that is, New South Wales—and that this legislation was based on Commonwealth legislation which at this point in time I have not had a chance to properly peruse.

The legislation creates an intense barrier of privilege against self-incrimination by anyone who is asked to give information or testimony to the investigation or inquiry. It requires that any information that a person employed by Queensland Rail gives is privileged. There are three categories of information: there is inadmissible information—that is, information that is coerced or compelled from a person giving information to the inquiry—restricted information, and then general information. I am not sure of the proper title for the third category. The third category of information is available, I understand, to anyone. Restricted information is available but only in certain circumstances. Those circumstances are set out in the bill as being circumstances where the chief executive may release restricted information to any person if the chief executive considers that the disclosure is necessary or desirable for the purposes of safety of transport by rail.

As I said, the general classification of information is available. Restricted information encompasses a significant list of circumstances. Restricted information includes: a statement, whether oral or in writing, obtained from a person in the course of an investigation or inquiry, including any record of the statement; it is all information recorded in the course of an investigation or inquiry; all communications in the course of an investigation or inquiry with a person involved in the operation of rolling stock that is or was the subject of an investigation or inquiry; medical or private information regarding persons, including deceased persons, involved in an incident that is being or has been investigated or that is or has been the subject of an inquiry; it is information in relation to rolling stock

that is or was the subject of an investigation or an inquiry; information recorded for the purposes of monitoring or directing the progress of the rolling stock from one place to another or information recorded about the operation of the rolling stock; it is the records of the analysis of information or anything else obtained in the course of an investigation or inquiry, including opinions expressed by a person in that analysis; and information contained in a document that is given to a rail safety officer or board of inquiry in connection with this part. Without having received much legal information, that covers just about everything.

Of particular concern is that it covers the information that victims of this incident are going to need in the course of obtaining compensation or payments necessary over the next period of time to help them rehabilitate from the injuries that they received. I visited one lady in the Gladstone Hospital who suffered back injuries. Her son was in attendance. He had some initial difficulty attending the hospital because QR were reticent to provide him with flights. He believes that his Mum's injuries will take a considerable period of time to heal.

I have already thanked the minister for the small window of time that he was able to give us just a moment ago. I know that the minister feels confident that information to allow a civil action to progress will not be particularly restrictive, but I do not have that comfort because of the incredible reach of the definition of 'restricted information', and also the next layer that says restricted information, or indeed any information, becomes inadmissible where there is compulsion to provide it. I can see information derived through good investigative skills move into that inadmissible area very, very easily. If the only ones with definitive information that would go a long way to proving or enhancing a civil case are the drivers or other staff on the train, with the ability to keep that information restricted in the way it appears this legislation is constructed, I feel very strongly that the victims in this situation are going to have a very, very difficult road to hoe in terms of proving the case that they will need to prove to get civil compensation.

It was explained to us by the minister himself, but in particular by his officers, that there are two issues here: one is the issue of the safety investigation, the other is the issue of potential civil or criminal litigation. I am not worried so much about the criminal side of things because an accident like this can occur in a split second. If there was significant negligence on the part of somebody employed by QR, whether it was somebody working on that day or somebody responsible for maintenance prior to then, their culpability, their responsibility, has to be taken into account and certainly action taken to ensure that an accident of this nature does not recur. We may not be so fortunate next time to have nobody more seriously injured. My concern is more for the 128 people who have been injured and will need a lot of the information that this safety investigation will uncover. It will be significantly quarantined by clauses in this legislation. It is highly likely that this information will not be available to them in order for them to gain just compensation.

The facts concerning the black box have been released. I am sure those facts could be used by a person acting for the victims. One thing that I would like the minister to address is the extent of information that will be covered by the restricted information definition. I would like the minister to clarify on the record that if this document that I am holding was Queensland Rail's documentation on the last two years' maintenance of the line when the RSO requests the information from QR on maintenance for that period, would that original document be handed to the RSO for the purposes of his or her investigation? If that is the case, the bill reads that the maintenance records for the line will effectively receive a cabinet exemption. They would not be released. They would not be accessible.

Mr Lucas: It is a critical point and the answer is no.

Mrs LIZ CUNNINGHAM: I accept that. Will there be classes of information that should be available on the public record but simply because they have been accessed, referred to and used by this investigation they will be restricted and exempted from use, either by subpoena or discovery, by victims' representatives? I would appreciate it if the minister could answer that question in summing up this debate.

My concern when I read this legislation—and without casting aspersions on the minister or anyone else—was that one of the intended or unintended consequences of the legislation was to give Queensland Rail significant protection from liability. The extent of restricted information, the extent of inadmissible information, the number of people who will be required to give information to the inquiry who then appear not to have the freedom to be questioned at a subsequent court case seems to give QR a protection from prosecution that QR as an institution does not deserve, particularly given there are victims in this incident.

I reiterate that I am not calling into question the reputations of any QR staff involved in the accident—quite the opposite. Workplace accidents can occur in a split second. The protection of QR workers should not in any way undermine or lessen the ability of victims in this incident to also receive justice and fair treatment. I notice that the legislation is retrospective. It provides retrospective immunity to all the information that may be available from prior to the accident and for the duration of the rescue.

Mr Lucas: It is on the 16th only.

Mrs LIZ CUNNINGHAM: It says 'on or about 16 November'. I have a high level of concern in relation to this legislation. Whilst affording the staff of QR significant protection my belief is that it undermines the ability of others who have been influenced by this incident to receive justice and a fair settlement from QR. I look forward to the minister's response to those matters.

I know that the minister has provided me with a copy of the Commonwealth legislation. I have not had an opportunity to compare that with this bill. The minister did advise that it is not identical but similar. The other issue that I wish the minister to clarify is—if indeed my interpretation is wrong—how he sees a free flow of information occurring not from the inquiry's notes but from the sources from which that information and notes were derived to the victims or their representatives.

The member for Maroochydore talked about the legislation being a response to the demands of the union representing the workers in this instance. Part of the job of the union is to represent workers. However, it is this parliament's responsibility to represent all Queenslanders. Many of the people who were on that train will take a long time to heal and they should be given the same consideration and support. I look forward to the minister's response to those issues.

Mr McNAMARA (Hervey Bay—ALP) (3.25 p.m.): I rise to speak in support of the Transport Infrastructure Amendment Bill which is before the House. It is an important piece of legislation. I know the minister is very keen to avoid having another Heiner situation before us in years to come. So stepping in at this earlier stage to make sure that people who are giving evidence to this investigation are fully protected is very important. It is good action taken promptly. The retrospectivity of this legislation is well and truly necessary in order to make sure that the inquiry gets full information and that witnesses are encouraged to come forward and tell all they know so that we can avoid any possible repeat of this tragic incident.

I do not want to prejudge the inquiry in any way at all. It will be full and open. The causes of the crash will come out. I think we can say at an early stage that the structural integrity of the carriages is not in doubt. For that I want to pay special tribute to the workers of EDI for the quality of the workmanship which has undoubtedly assisted in preventing lives being lost.

Other rail disasters around the world have featured significant fatalities due to carriages crumpling and people being crushed and internal fixtures and fittings coming loose and causing serious injury. I was speaking to some of the ambulance officers and paramedics at McHappy Day who had been up to the crash site. They were amazed that the injuries were as slight as they were—and I do not want to downplay anybody's injury; everybody who has been through that has had a nightmare. The fact that there were no fatalities is miraculous. I think it is due to the great work of EDI Rail. The engineering, specifications and safety work that has been put into those carriages is quite fantastic and has, undoubtedly, saved many lives. With those few words, I commend the bill to the House.

Mr JOHNSON (Gregory—NPA) (3.27 p.m.): I rise to speak in the debate on the Transport Infrastructure Amendment Bill 2004. This legislation has been introduced as a result of the tilt train derailment on 16 November at Berajondo just north of Bundaberg. I echo the remarks of the member for Hervey Bay. These tilt trains were put in place to convey passengers to and from points between Brisbane and far-north Queensland. They operate in a fast train environment. I believe it is a safe train environment.

As the member for Hervey Bay just identified, if this had been in some other country in the world or maybe in one of the Third World countries we may have seen major fatalities and serious injuries. Thank the Lord that that did not happen. I pass on my sincere congratulations to the staff of Queensland Rail who conducted themselves, I believe, in a very able, responsible and professional way as I knew they would. I also congratulate the emergency service, police, fire and ambulance personnel. I congratulate the people who looked after those unfortunate people at the relevant hospitals along the coast.

This is a situation that we hope will never happen. When it does happen, there are many things that can be said in hindsight. Yes, $63 million or $65 million worth of merchandise has gone down the chute. But we learn from our experiences. At the end of the day, the most wonderful thing to come out of this disaster is that there was no loss of life. We cannot put a dollar value on human life. While I have reservations about certain aspects of this legislation—and I will certainly be raising those with the minister today—it is important to remember that Queensland Transport's Rail Safety Unit is the parent body that is responsible for investigation of accidents of this magnitude. As the minister clarified in his second reading speech, this unit was put in place in 1995 for the very reason why this investigation has now been under way for about a week. The truth hurts sometimes. If there is an agenda here to protect somebody from real scrutiny, that is an unfortunate situation. I hope that is not the case. I see the minister shaking his head.

Mr Lucas interjected.

Mr JOHNSON: I realise that. I again say, as have other speakers, that there was no loss of life. The tilt train is a commuter train between major places in Queensland. It is a train that people catch to go for a ride in order to get a feel for it from, say, Brisbane to Bundaberg. It is also one of our flagship

operations in that it puts Queensland Rail on the national and international stage in encouraging people to come to Queensland to take advantage of the great train rides in this state. Under the stewardship of former CEO Vince O'Rourke and now under the stewardship of current chief executive Bob Scheuber, Queensland Rail boasts one of the most sophisticated, first-class narrow gauge railways in the world. That goes without saying. At the end of the day, we need to ensure that all safety precautions are at the top of the list.

Mr Lucas: Something clearly went wrong here. We want to find out.

Mr JOHNSON: That is what I am saying. Be it the gradient, the bends, the speeds or whatever, we have to ensure that there is no hidden agenda and that this inquiry will have the teeth that it needs to ensure that there is no union interference. Every witness needs to be able to come forward to give a true account of what happened, and every witness needs to be protected. I know that the minister just gave the assurance that the federal body is overseeing this, but I hope that the minister was not led to the slaughter like a day-old lamb by the union. I will be careful of what I say here, but the minister is in charge of this. He is the custodian of this operation. It is an unfortunate situation. It could have happened to me, too, and thank God it did not—I feel for the minister for being in this situation—or it could have happened to the member for Maroochydore had she been in that situation.

We have to ensure that there is proper scrutiny and transparency in the investigation so that people tell the real facts. As the minister said in his second reading speech, a crucial element in rail investigations is the revelation of the truth without fear of further judicial proceedings for witnesses and that Queensland Transport adopts a ‘no blame' approach to rail safety investigations. That has always been the way. As the minister said, the crucial element of rail investigations is the revelation of the truth. I hope that comes out with this inquiry. Given that the investigation into the tilt train accident has been under way now for seven days, the truth will only be revealed if the real facts are given in an honest and accountable way. The member for Maroochydore touched on that in her contribution to this debate. Unfortunately the minister was not here, but no doubt those remarks will be—

Mr Lucas: I have spoken to her about it.

Mr JOHNSON: I thank the minister. What would have been the case had this been a coach load of, say, 40 people on a major coach travelling one of this state’s roads? Would the same type of legislation be introduced into this parliament for the protection of some of the witnesses in that scenario? Many people have rung me, and the minister's departmental officers would have fielded many phone calls in a similar vein over recent days—that is, would this legislation have been introduced if it had been a truck accident, a coach accident or a major accident on one of our major highways such as the Pacific Motorway involving many people and fatalities or serious injuries? These are the questions that ordinary Queenslanders are now asking. I ask the minister to clarify that when he sums up the debate.

The shadow minister touched on clause 5 in relation to subsection 9B(d), which states—

... the results of an alcohol test, drug test or medical examination of an individual mentioned in subsection (5).

I look forward to the minister's comments in his summary in relation to that issue. Another clause that takes my eye is clause 8, ‘Limitations on disclosure etc. of restricted information'. The clause states—

(1) A person who is or has been a relevant person must not make a record of restricted information.

I note that this is only applicable to the chief executive or to a rail safety officer. What about key witnesses in this situation? Fortunately I might say that this accident happened in the middle of the night while many of QR's patrons were asleep or in a motionless state. Because of that free falling and what have you, they were saved from serious injury or, ultimately, death. The clause says that a relevant person must not make a record of restricted information, and the maximum penalty is two years. What about a key witness who needs that material for a future inquiry or for future reference if those inquiries are opened up? This is a pretty serious aspect of this legislation and one on which I trust the minister will give a legal account, because I believe it is something that has to be clarified as we debate this bill in the parliament this afternoon.

Another important point was raised by the member for Gladstone this afternoon, and that is the issue of the injuries sustained by the patrons themselves. I hope this issue will be a leading aspect of this inquiry. If there are major complications with the health of some of these people or the recovery of some of these people or future therapy to assist them with their ailments, I hope that that will not be brushed over. In reality, these are things that we hope never happen. I hope that as a result of this disaster we will be able to, as the minister just said, correct the problems if there is a problem and make that line safer. When Jim Elder, David Hamill and I were the responsible ministers we spent a great amount of dollars on the main line upgrade between here and Cairns and Rockhampton in particular for the tilt train when it was put in place in the late nineties. We have to remember that this is not only a volume freight line but also a volume passenger line. We have to ensure that it is kept sacred regardless of whether it is a freight train driver or the driver of a passenger train. We are about marketing

Queensland and its rail system in order to expose it nationally and internationally to take full advantage of promoting what we have in this great state.

I hope that we do have a proper inquiry and get the outcomes that the people of Queensland and patrons of Queensland Rail are looking for and that the agenda can be corrected. I put on record today the fact that I did leave a message with the chief executive of Queensland Rail, Bob Scheuber, wishing him well at this time. I can also assure the minister that we want outcomes that are going to put us back at the pinnacle of railway success and railway operations in Australia and the Western world in terms of narrow gauge railways.

Dr FLEGG (Moggill—Lib) (3.40 p.m.): At the outset, let me say that I share with the other members of this House the sadness of this accident and for the people who were injured. Many years ago I was working at the Concord Hospital in Sydney when the Granville train disaster occurred. Despite the passage of many years, I remember quite clearly the pain that that disaster inflicted on a lot of people and, indeed, the stress that it inflicted on a lot of people who were required to help the victims both at the scene and subsequently at the hospital. We wish those people who have been injured well and a good recovery from their injuries.

As part of the parliament, we need to look at how we are going to handle this accident so that we have the best opportunity to make sure that it does not happen again. This legislation has been introduced with enormous haste, which has restricted the time in which members such as the members for Maroochydore and Gregory and I have had to look at it. So we are keenly interested to hear the minister's response to our comments. If, as I understand it, the guiding principle of introducing this legislation is to allow the safety investigation to have full access to information so that people can deliver information to that inquiry with an indemnity—that that information cannot be used in other areas—and we have the maximum opportunity for the facts of this case to come out at the safety inquiry so that we can advance the objective of making sure that such an accident is not going to happen again, then the Liberal Party would certainly support that objective and the legislation that is designed to achieve it.

I share with the member for Maroochydore, the member for Gregory and the member for Gladstone some concerns in relation to this bill. I will express them now and I will wait for the minister's response. Two things would not be acceptable to the Liberal Party. If the provisions of this bill have been designed not to bring out information to the safety inquiry, but, in fact, to protect QR in some way from either blame or from its obligation to the people who have been injured on this occasion, that would not be acceptable. It would also not be acceptable to the Liberal Party if the provisions of this bill restrict the rights of the victims on this occasion so that they are not able to gather access to information or documents that may be necessary for them to pursue the claims that I am sure will inevitably follow this incident. However, the objective of an inquiry to uncover what happened so that we can stop it happening again will have our support.

I will outline my concerns about this bill, and I would like very much to hear the minister's responses to them. Those concerns relate in particular to the retrospective nature of documents and matters of inquiry that already exist. I look forward to the minister's comment on that, because they relate to past events. To my mind, they do not impact on a person's willingness to speak in an inquiry if they have a future indemnity. It crosses my mind to wonder whether some people would be more comfortable if existing documents or events did not come to light.

Mr Lucas: I honestly don't know what the inquiry has, because it is not appropriate for me to look at it.

Dr FLEGG: No, I am not asking the minister about what the inquiry has; I am asking how retrospectivity makes it more likely that people will volunteer information to the safety investigation. I cannot see how protection, particularly retrospective protection of documents that exist already—which is my understanding on my reading of the bill—contributes to the objective of the safety investigation having full access. I have a concern about that.

That covers my two main concerns. In summary, on behalf of the Liberal Party, let me say that we will support measures in the legislation that are aimed at allowing the safety investigation to uncover as much information as possible. We will not support measures aimed at either protecting QR or restricting the rights of victims to obtain information or documents that they may need to exercise their own rights. I will need to be convinced that, in terms of the safety inquiry, there is a benefit in imposing restrictions retrospectively on existing documents and investigations that have already taken place.

Mr TERRY SULLIVAN (Stafford—ALP) (3.45 p.m.): I rise to support the legislation before the House, which strikes a delicate balance between the need to get to the truth behind this accident and and the need to protect the rights of individuals. I would like to paint some background to the various modes of transport that need to be considered. I was fortunate to be a member of the parliamentary Travelsafe committee for five years. During that time the committee looked at many aspects of safe travel. The major focus was on vehicular transport. But the committee of which I was a part was the first committee to look at rail safety. It produced two reports. The first report, tabled on 15 December 1997, looked at the safety of the infrastructure of Brisbane's Citytrain network. The second report, tabled on 8 May 1998, looked at passenger safety on Brisbane's Citytrain.

I was proud to be part of a committee that expanded the work of the Travelsafe committee to include rail. I am thankful to the chairman at the time, John Goss, and the other committee members for agreeing to undertake those two inquiries. Those inquiries showed that a huge amount of research into that field still needed to be done. They also highlighted a very significant feature, and that is that rail travel is extremely safe. It has been stated that it is more dangerous and more accident prone for people to drive to the station than it is for them to be on the rail network.

When the *Spirit of Townsville* derailed in the early hours of last Tuesday, eight of the nine cars left the section of track, and that included the locomotive. One hundred and twenty-eight of the 156 passengers and crew were injured. Thankfully, no-one was killed or sustained life-threatening injuries. As the Minister for Transport and Main Roads has said in the parliament, the first priority in any accident is the welfare of those injured and ensuring that their needs are properly catered for. The second priority is to investigate the causes of the accident with a view to identifying what can be done to prevent, as far as possible, any such action happening again. The independent investigation that is being carried out by the joint state-Commonwealth body is chaired by the Australian Transport Safety Bureau and includes officials from Queensland Transport's rail safety unit.

I support the amendments contained in this bill because they will assist the current investigation into the accident by providing witnesses with immunity from self-incrimination. It will mean that the information that witnesses provide to any rail safety investigation in Queensland cannot be used against them in other proceedings. We all want to know what happened to cause this derailment so that we can do whatever is required to prevent future accidents. These amendments will make it mandatory for witnesses to provide information to the rail safety investigators but, in doing so, those witnesses will have full protection from self-incrimination. The amendments are based on legislation for Commonwealth aviation investigators. It is vital that witnesses tell investigators all that they know so that the inquiry can do what it is set up to do and is not compromised.

Queensland has among the best, if not the best, safety record of any railway in Australia. Since 1997, running line derailments in Queensland have decreased by 10 per cent, collisions have decreased by 40 per cent and level crossing incidents have halved. Queensland Rail has not had a fatality involving a passenger train derailment or collision in 20 years. If we compare the safety of our network with those of other states we see that Queensland has 0.053 rail fatalities per 100,000 population—about a quarter of the figures for New South Wales and Victoria.

Rail travel is very safe, but there is no cause for complacency. In keeping some perspective about the disaster that faced the families involved in the rail accident, we should remember that it is basically a very safe mode of travel. It has been good to see the desire of members from all sides of the chamber to get to the truth of the derailment so that we can provide an even safer system. I believe that the legislation does that and I will be supporting it.

Mr MESSENGER (Burnett—NPA) (3.50 p.m.): Tuesday, 16 November is a day that I will not readily forget. I woke up late that morning—6 a.m. or 6.30 a.m.—turned on the radio and heard on the ABC news that the tilt train had crashed just north of Rosedale, which is a beautiful town in the electorate of Burnett. There was good news and bad news. The bad news was that there was a train crash and the good news was that, thankfully, there were 163 survivors. There were lots of injuries—in excess of 120—but no fatalities.

In a speech to this House on Tuesday I acknowledged that, while the rescue effort was a magnificent team effort by the Bundaberg-Burnett community, amongst the emergency health services and all of those hard workers who joined the effort certain individuals performed above and beyond the call of duty. I mentioned many of those individuals in my speech on Tuesday.

When I finally arrived at the crash site, about five kilometres north of the Agnes Water/1770 turn-off on Rosedale Road at around 8 o'clock in the morning, I was greeted with a sight that not many people would expect to see. The train had derailed on a sweeping left-hand bend. Most of the media said that it was on a bend that had a speed limit of 60 kilometres per hour. There was gravel road and a bit of sealed road. I think on the section where the train came off there was a fair bit of gravel road. The carriages were sitting very close to the side of that road, on the left-hand side of the road. When I arrived there were many SES workers, police and Salvos swarming over the scene, which was cordoned off by the police. I made my way to certain officers. Mal Churchill is one of the inspectors of police from Bundaberg I spoke to. I especially mention Lawrie Nauschutz, the sergeant from Bargara Police Station. Lawrie displayed a lot of professionalism when he first arrived at the scene. It was his calm manner that set the tone for the rescue. Of course, many other magnificent individuals performed brilliantly on that day.

I spoke to the Salvos—a wonderful bunch of people. I know that the minister also met with them. Everyone had significant praise for the Salvos. They arrived at the scene at about 1.20 a.m.

Mr Lucas: They did a top job.

Mr MESSENGER: Yes. They had the coffee and the comfort flowing and those famous Salvo smiles. They even wanted to feed me, but I felt guilty taking coffee from them. There were plenty of other, more deserving people.

Mr Pearce: I heard you got in the way.

Mr MESSENGER: I tried not to get in the way.

Mr Lucas: To be fair, he did not. He was there.

Mr MESSENGER: That is one of the issues I will talk about. While the minister is here I say that I was disappointed that when the minister arrived with the Premier I was not afforded the courtesy of the briefing they had from the emergency services personnel.

Mr Lucas: All you had to do was ask and you would have been welcome to come with us.

Mr MESSENGER: I take that interjection from the minister, that all I had to do was ask, but I refer to what happened after that. I made several inquiries to the local hospital about whether I could visit, offer comfort or see if my staff could help out survivors, and I was knocked back. I was not allowed to attend.

Mr Lucas: That is a bit different. There were not any victims on the scene when we were there.

Mr MESSENGER: No. As I mentioned in my speech on Tuesday, the last person a survivor who has just gone through such a traumatic event would want to see is a politician. In reality, elected public officials can make the situation better by getting rid of red tape, sharing a prayer of comfort or trying to locate valuables or family members to let them know that they are fine. I think it really comes down to limiting information that is available. That speaks to the heart of this particular bill.

We all want to discover the truth about why the Cairns-bound tilt train crashed. We in this place are all seekers of the truth. We have to ensure that the truth of the crash is known. One question we could ask ourselves when examining this legislation is: could we have discovered the truth about why this train crashed without this legislation? Obviously we want to find the truth. We want to identify the problems so that we can solve them and fix them and make sure something like this will never happen again.

The other important question that has been raised by various members is: will this legislation limit compensation or harm any civil legal action which is carried out on behalf not only of the passengers but also of the staff of Queensland Rail? Can this legislation establish a legal precedent for any future public transport crashes? I know that many members will ask the minister that.

We do not want a cone of silence pulled down on this incident. It cannot become another cover-up. We need to listen long and hard and learn the lessons from this incident. What lessons can we learn from speaking to the survivors? I learnt an important lesson from speaking to crash survivors Dianne and Harry Page. I bumped into these people when I was in the airport at Bundaberg waiting to come down to parliament. Dianne was suffering a broken collarbone and Harry, who had survived a triple bypass and had kidney disease, had suffered a number of lacerations. He was shaken up and still in shock, I think. But they were quite well off. They said, 'It could have been worse. We got out of this crash with our lives.' They had nothing but praise for the emergency services and the health professionals.

They would say a number of things. I mentioned these in my speech during the matters of public interest debate, and I hope that this minister and other relevant ministers paid attention. Harry was concerned that there was no lighting within the carriages after the crash. He said that for a number of seconds—it probably seemed like hours—there was a massive tearing and screeching of metal followed by smoke and dust. Then suddenly there was stillness and darkness—complete and utter darkness.

Mr Lucas: So there was no emergency lighting for them?

Mr MESSENGER: No. He was saying that there was no emergency lighting. One of the common cries from the survivors was, 'Has anyone got a torch? Is there any light?' When I came upon the crash scene—the minister would have noticed this—the only glass on the crash site was glass from the broken emergency exit windows. Those windows were often broken by the emergency services personnel going into or coming out of the train. But the crash survivors lying in the wreckage were not able to locate those windows. It would have been absolutely horrific to lie there not knowing whether there was going to be a fire, which would have been the absolute worst outcome for that crash scene. Harry was lying there trying to locate his wife. He said that he lay there for about an hour in the darkness. It would have been one of the longest hours in his life and in the lives of many of the other passengers.

Mr Lucas: That is classically the sort of stuff that I would have thought the investigators would want to have a look at with a view to what we should do in the future about emergency lighting.

Mr MESSENGER: Yes. I am not an expert, but definitely just a small torch or torches strategically placed around carriages or in some emergency compartments would be beneficial, and it would not apply only to trains but to all forms of public transport. Or at least we could make those emergency windows a glow-in-the-dark, reflective colour so that people can clearly read them when it is pitch-black.

Mr Lucas: I presume that these people would be sent a questionnaire from the state investigators, but, if you would like to let me know outside the chamber the details, I can certainly undertake to pass them on the information, or maybe even what you have said in *Hansard* so that is something that they become aware of. Because I think it is a legitimate point.

Mr MESSENGER: I thank the minister. I have instructed my staff and they have composed a letter. We will send it to the minister officially with a few suggestions.

There is another suggestion made by Harry and Dianne. Once they had been loaded into ambulances and ferried off to Bundaberg, they thought they were still on a dirt road. They could not believe it was a sealed road that they were travelling along. It is Rosedale Road. It cops a fair old hammering from everyone travelling north to 1770 and Agnes Water, and why not? That particular part of the country is experiencing a 30 per cent growth rate. It will swell to 12,000 people. But it is just one of the lessons that can be learnt out of this. Maybe we can get a better Rosedale Road and a bit of money can be spent on it.

Mr Lucas interjected.

Mr MESSENGER: There is another lesson that we can learn from the crash investigation. I spoke with some of the SES and emergency service personnel, and they thought this was an ideal way to test their response, in a way. It was a very good exercise, although it was not an exercise; it was the real thing. They thought there could be more thorough cross-service training. It is little things: the SES personnel lift a stretcher in a different manner from the Ambulance Service, and that created a couple of little problems. So that cross-service training would be very beneficial.

I, like other members on this side of the House, have not decided whether or not to support this legislation. There are some serious questions that need to be answered in the minister's explanation, and I very much look forward to that speech.

Mrs PRATT (Nanango—Ind) (4.02 p.m.): I rise to speak to the Transport Infrastructure Amendment Bill 2004. Since first reading through it, which was only yesterday because we received it only yesterday, I have had reservations about the bill. Although I have had a briefing earlier today, for which I thank the minister and his staff, and a very brief visit with the minister just before the bill was debated—so if he was late I apologise because that was probably my fault—I am still concerned with the bill. It would have been great if I could have availed myself of some independent legal advice as to the bill, but I have not been able to in the short time frame within which we have had the bill in our hands.

The recent tilt train accident has caused what I believe is hasty drafting of the bill. As I said, it set off alarm bells for me and people who are interested in justice. That may be totally unfounded—

Mr Lucas: I would rather not have had to bring the bill in.

Mrs PRATT: I am sure that is the case but I still believe it must have been done very, very quickly. It will allow, I believe, anyone guilty of negligence in this tilt train derailment protection through immunity from criminal, civil and administrative proceedings. I have read and re-read the explanatory notes accompanying the presentation of the bill. The explanatory notes state—

The justification for this approach is balanced by providing the immunity protection to preclude any information gathered being used in any judicial proceedings.

The explanatory notes further state—

Without this immunity, however, the ability to determine all of the factors that led a a rail safety incident and the subsequent implementation of any actions necessary to ensure rail safety is improved would be significantly inhibited.

I interpret these words to mean that it is believed that those involved would lie about the causes of the accident. I must confess that that may very well be the truth. They probably will, because self-preservation is often a very strong motivator in times such as these.

If this accident was caused through some mechanical failure which resulted in an excess of speed, then that faulty piece of equipment, I believe, will be found. If there was human negligence involved, surely justice must not only be done but also be seen to be done, and all manner of assisting passengers involved to receive justice must be supported. The explanatory notes further state—

This approach is justified to give benefit to the greater good of Queenslanders to make our rail system as safe as possible.

This bill refers only to this government owned entity and this incident. Is it only this incident or is it future ones as well, Minister?

Mr Lucas: All.

Mrs PRATT: I have to ask if any undue pressure from the union was applied in an effort to protect their members. I believe that would be totally unacceptable because I did hear—

Mr Lucas: It certainly wasn't.

Mr DEPUTY SPEAKER: Order! The member will refer her remarks through the chair.

Mrs PRATT: Through you, Mr Deputy Speaker. It has been reported in various media that the unions stated that without this immunity they would not allow their members to talk. So, to me, that is pressure being applied. That has actually been reported in the media. I do have concerns that there has been some undue pressure placed to get this legislation put up and put up very quickly, although I know that needs to be the case.

Mr Lucas: I do not think the community would support industrial action. I think that would have been the wrong thing to do and I would not think it would be a good idea. There was certainly no arrangement.

Mrs PRATT: I agree that it would be totally inappropriate, Minister.

Mr Lucas: None whatsoever.

Mrs PRATT: As I said, I do have concerns about even those implied pressures. I see a dangerous precedent in this bill as well. It could be argued—and I am going to draw a really long bow here—that if a member of a terrorist group destroys property and takes many lives it would be for the greater good of the people to make it as safe as possible to get him or her off the streets. So, to achieve that safety for people in general, I do not see that it is unreasonable to expect that similar legislation might be brought in and similar immunity applied in a case such as that. I know that is a long bow but I do not believe it is so fanciful, because once the precedent is set it is there. We might not be talking about next week or the week after, but it could happen further down the track.

I fully understand what the government is trying to achieve with this legislation, and I have no objection to what it is trying to achieve—that is, the discovery of what went wrong to ensure the future safety of rail passengers. However, this legislation, based on my reading of the explanatory notes, contains some dangers. I do not believe the explanatory notes have misrepresented the bill, and I do not think the minister would say they have. They are factual, without bias and without any spin at all.

I also read in this bill a fairly simple way for the government to eliminate itself from any responsibility. As I said, I do have concerns about this legislation with regard to victims and their rights being reduced or curtailed. When I say that, I am referring to a part in the bill about restricted information. I am going to read the entire definition. The minister will know it, but I am going to read it for the benefit of people who will not necessarily access the bill but who will access *Hansard* The bill states—

restricted information means any of the following, other than data logger recording information—

(a) a statement, whether oral or in writing, obtained from a person in the course of an investigation or inquiry, including any record of the statement;

(b) all information recorded in the course of an investigation or inquiry;

(c) all communications in the course of an investigation or inquiry with a person involved in the operation of rolling stock that is or was the subject of an investigation or inquiry;

(d) medical or private information regarding persons, including deceased persons, involved in an incident that is being or has been investigated or that is or has been the subject of an inquiry;

(e) in relation to rolling stock that is or was the subject of an investigation or an inquiry—information recorded for the purposes of monitoring or directing the progress of the rolling stock from 1 place to another or information recorded about the operation of the rolling stock;

(f) records of the analysis of information or anything else obtained in the course of an investigation or inquiry, including opinions expressed by a person in that analysis;

(g) information contained in a document that is given to a rail safety officer or board of inquiry in connection with this part.

I know that was a fair bit to read out and I did not do it for the minister's benefit, because I know he knows it, but there are people outside parliament who may not necessarily obtain a copy of the bill but would like to know what was in that section of the bill. I do not think the minister would be averse to their having a look at it to see what was there.

These exemptions cover everything I can possibly think of. There are probably things that I have not thought of. The minister knows that my husband flies, and we have been through several air crash investigations. We read a lot of air crash investigation books, et cetera, because it is something we are familiar with.

Mr Lucas: To use that analogy, it wouldn't mean that your crop dusters' maintenance records, even if the inquiry got hold of them—

Mrs PRATT: Absolutely, and we had no problem with that. That is essential. All information needs to be there. I am saying that, not in regard to the safety aspect of it—I know that is why the minister is procuring all this information—everything that I think of that could possibly be used by a victim is in that particular restricted information. I do have concerns about how wide that actually extends.

Mr Lucas: Yes, but the victim, taking the air crash analogy, could go and get your maintenance records by a third party discovery or via the police by a warrant.

Mrs PRATT: Exactly. They are open and accountable.

Mr Lucas: That can be done here. They just cannot get them from the inquiry; they have to get them from the primary source.

Mrs PRATT: That is fine. I am not worried about that side of it, as I said earlier. I am worried about the fact that if it came down to one vital piece of information, which only the person involved had, and they went into this inquiry and—whether it be through exempting them from guilt or whatever—

Mr Lucas: It doesn't do that.

Mrs PRATT:—put it out there, that is the one vital clue which may make the difference between a successful claim and an unsuccessful claim by a victim. That is my one concern. I know there are lots of scenarios and we cannot cater for all of them, but that is one of my huge concerns.

I thank the minister for the copy of the Commonwealth act that he gave to me. I did not bring it with me. It is the federal Transport Safety Investigation Act 2003. During the briefing earlier in the day we talked about that with the minister's staff. Maybe I took it the wrong way, but I got the impression that there had been no problems with that particular act. There may very well not have been, but then again it has not been in force for very long, either. The year 2003 is just a little while back; it is not very long ago. I honestly do not accept at this point that it has really been tested as far as it possibly could, but the minister has to base an act on something, and I accept that he did base it roughly on that particular act.

I might leave it there because a lot of members have asked a lot of questions. In all honesty, I accept that the minister is trying to get right down to the nitty-gritty of the situation, and I applaud him for that. I do have serious concerns about this bill. It has not been here very long for us to analyse in any great depth. I would have much preferred to have done that. This bill could possibly infringe on the rights of people who are victims of other people's actions. I am not sure whether it will or will not do that, because I have not been able to access my independent legal advice. I do find myself inclined not to support the bill at this particular time. That is not to say that I do not support the object of it, because I do. For the time that we have had to look at the bill, to analyse it in depth and to get our own legal advice, I find myself reluctant to support it. I have a gut feeling about it. I do not know what it is and I cannot put my finger on it, but there is something there that I cannot see. My gut has not let me down before; I hope it does this time.

Hon. N.I. CUNNINGHAM (Bundaberg—ALP) (4.14 p.m.): I rise to speak in support of the Transport Infrastructure Amendment Bill 2004. I congratulate the minister on acting so quickly to bring this legislation before the parliament. It is legislation that will ensure that the investigation into the recent diesel tilt train derailment near Bundaberg, and any future investigations of rail safety incidents, can occur completely and thoroughly to identify the causes and contributing factors to an incident. These amendments, among other things, will also provide the appropriate level of protection for witnesses from civil, criminal and administrative proceedings.

Residents in my electorate of Bundaberg were stunned by the recent diesel tilt train derailment so close to home. The electric tilt train that runs daily between Bundaberg and Brisbane is heavily supported by our residents and by me. This service is extremely good and extremely popular with our community, and its heavy usage by our residents made the recent accident just outside of Bundaberg even more shattering.

While referring to this accident, I would like to place on record in this House, without naming anyone in particular, my congratulations for the wonderful work of our police and emergency services men and women who handled the disaster in an exemplary manner. Our hospitals, with 140 staff on duty, proved beyond a doubt their efficiency, professionalism and ability to provide top-quality health services under enormous pressure. The staff of Queensland Rail did a magnificent job in clearing the site, identifying and returning luggage and personal belongings to the passengers, and arranging alternative transport.

Almost 100 police, ambulance fire, SES and Queensland Rail vehicles and 400 staff members, three rescue helicopters and a fleet of local buses were utilised, and all 163 passengers and the train crew were transferred to hospitals in Bundaberg, Gladstone and Hervey Bay or to the Bundaberg station for transfer. As is always the case in times of disaster, the Salvation Army members were on site quietly going about their valuable role of administering to those in need.

It was a terrible accident, but the injured passengers I spoke to were in high spirits, very grateful for the help that had been given and full of praise for our Bundaberg Base Hospital. The strength of the carriages clearly saved lives. There is no doubt that serious injuries were kept to a minimum because of the speed and quality of the help provided. It was a magnificent effort, and we are all very proud of Bundaberg's superb response to such a major disaster that occurred almost 40 minutes driving time away from the city in the middle of a dark night.

I thank the Premier, who came to Bundaberg twice, and the ministers for Transport, Health and Emergency Services who travelled to Bundaberg within hours to support the workers and the injured passengers. I thank everyone who played a part in what was the most coordinated response I have ever witnessed.

We hope there will never be another rail smash like this one, but if there is then we will have this legislation in place to allow appropriate investigative processes to proceed. The amendments to this bill will require the government to table in parliament a report offering full transparency on the findings of an investigation within 14 days of it being received. This amendment will apply to the report that will be prepared at the conclusion of the current diesel tilt train derailment investigation. I hope this report will be completed without delay for the benefit of Queensland Rail staff and for the confidence of our passengers. Again, I congratulate the minister on his quick action in bringing this legislation before us, and I commend the bill to the House.

Mr WELLINGTON (Nicklin—Ind) (4.18 p.m.): I rise to participate in the debate on the Transport Infrastructure Amendment Bill 2004. I send my thoughts and best wishes to the victims and the victims' families. I congratulate the emergency workers and volunteers who gave their all to ensure that we did not have a fatality as a result of this very serious and terrible accident.

This bill was introduced into this House yesterday and today we are actually debating it. Within a short period of time I imagine it will go through all stages of the debate, including the consideration in detail process, and that it will go on for assent. Yet at the moment we have not had the opportunity of having our Scrutiny of Legislation Committee actually consider this bill and make any recommendations or observations to all members of this House. I know in the past we have had a similar instance where a bill, for very specific and valid reasons, was rushed through the parliament and yet the committee did have the opportunity to consider that bill and provide independent advice to the House.

We are one of the few parliaments in Australia that does not have an upper house—a house of review. We are able to push through urgent legislation without independent consideration and independent advice to all members. I note in the explanatory notes the minister has referred to issues involving fundamental legislative principles, the Legislative Standards Act and a range of other issues. As I have listened to members speak on this bill, many members from the non-government side have indicated their concern, anxiety and uncertainty about the legal implications. I am wondering whether the minister would agree to refer this matter to the Scrutiny of Legislation Committee and actually move the appropriate motion in consultation with the Leader of Government Business in the House to authorise that.

What I am looking for is the minister, in his reply, giving a commitment to have this matter referred to the Scrutiny of Legislation Committee so that the committee will have the power to examine this bill in accordance with the statutory terms of reference, regardless of whether this bill has been passed and assented to before the committee at the moment has had the chance to examine and subsequently report to the parliament.

I would hope that we can actually have that consideration by the committee. I have taken advice from the secretariat that at the moment our terms of reference do not extend to the bill which passes through all stages and is assented to. The office informs me that I do need a special motion from the minister or from the government to give the committee the power to consider the bill and report back to the House in light of the fact that this parliament will not resume until after this bill has been assented to. Perhaps if the minister could give a commitment to allow the committee to consider the bill that may allay some of the concerns that members may have about the implications of this bill

I appreciate the minister's willingness to organise a briefing. I contacted the minister this morning to organise a briefing with departmental staff. I appreciate their frankness with the issues. I do not want to see anything happen whereby victims' rights are hindered or the police investigation is in any way hindered or made more difficult. I understand the importance of finding the truth to ensure that an accident like this never happens again. One of the problems we see today more than ever is that so often people are quick to point the finger or blame someone else for an accident or for something that has gone wrong. Today more than ever we have to encourage and be seen to be taking responsibility for our own actions. Someone has to be responsible, be it yourself or someone else. So often we see people quick to blame someone else for their own failings or for their own negligence.

I certainly want to see someone eventually before the courts in relation to this terrible accident. Someone has to be responsible. There is no doubt in my mind that someone has to be responsible. As to who that person is, we will wait and see what happens as a result of this investigation.

When I raised matters with departmental staff in relation to the information that would be accessed as a result of this inquiry, I was directed to clause 239AB on page 12 of the bill and 239AD on page 13 of the bill. When I read those sections I note that 239AB(2) refers to—

The chief executive officer may only disclose restricted information that is, or that contains, personal information in the circumstances prescribed under a regulation.

Could the minister clarify what he is proposing in the regulation, as again we have not seen the substance of that regulation while we have been debating the bill tonight. I understand that usually we do not see the regulations until a later date.

I also note that 239AC provides authorisation to the coroner to have access to restricted information.

Mr Lucas: The coroner gets the lot. The coroner is looking for what went wrong as distinct from who is to blame.

Mr WELLINGTON: I thank the minister. I note that subclause (1) states—

This section applies if a coroner requests or requires the chief executive to give restricted information to the coroner.

Then it goes on—

The chief executive must give the restricted information to the coroner.

Mr Lucas: No choice.

Mr WELLINGTON: What I do not want to see happen, and I raised this matter with the departmental staff, is the situation where we have civil proceedings on foot and a hearing, we have criminal proceedings on foot and a hearing, and as a result of those hearings a finding is reached which is totally contrary to the view that the inquiry has formed. I would hate to see the situation where the people on that investigating panel know that because of the information that they have had produced to them that a different result has occurred, because of the truth of the situation, in comparison to the findings and the result of the civil proceedings and the criminal proceedings. I would hope that we can always ensure, and that in the minister's response he will indicate, that there can be no doubt that, if that inquiry is in possession of that critical information, that information would be accessible and available to either the criminal or civil proceedings. There would be nothing worse than having criminal and civil proceedings reaching findings which the board members know are wrong and are very clearly wrong because of the truth of the information that they have been able to access.

Mr Lucas: It is not uncommon in court proceedings. It is not uncommon in criminal proceedings that people say someone got off and they should have been convicted. That is a question of opinion. What assurances can I give you about that? Anyway, I will deal with it.

Mr WELLINGTON: I am looking forward to listening the minister's response to the matters that have been raised. I hope that the minister will take up my invitation to move the appropriate motion to ensure that the Scrutiny of Legislation Committee will have the power to consider this bill and report back to the House. It may be the case that the committee may report back and say things are all okay, there is nothing terribly wrong with the legislation, that the rights and liberties of individuals have been acknowledged and that the issues have been identified and commented on appropriately in the minister's explanatory notes. But I certainly would feel more comfortable if the minister would take up that request. At the end of the day the minister clearly does have the numbers in this House and irrespective of whether we move a motion on this side or not the minister controls the agenda in relation to the matter being referred to the Scrutiny of Legislation Committee. I await the minister's response.

Hon. P.T. LUCAS (Lytton—ALP) (Minister for Transport and Main Roads) (4.33 p.m.), in reply: I thank all honourable members for their contributions. In relation to the reference to the Scrutiny of Legislation Committee, I will have to talk to the Clerk and seek advice from the Leader of the House. I may not be able to respond immediately to that. It might be something I will have to respond to later on. The Clerk is in a meeting and I have not had a chance to establish from him what the situation is. I would have thought at the present time that the committee is seized of the power to analyse the bill, and that once the committee is seized of the power to analyse the bill it has the power to analyse the bill. How long the committee takes to analyse the bill does not stop it from having the power to do that. I am not here to give Clerk's advice to the member, but I will have a look at that issue.

Mr Wellington: If the minister could indicate that he is happy for the committee to consider it and report back.

Mr LUCAS: I do not have the ability to empower the committee. I would be the last person who would be afraid to have the committee take a good look at it. I have no issue with that myself. We will see what is said.

It was a very regrettable incident. The member for Gregory is frequently the fount of very good and sage views of the world. As he said, he would not have wanted to have been in the position that I was in. I hope that no-one else is ever in that situation either. It is not very nice to get a call at 1 a.m. and be told that there is a major rail accident and there is a likelihood that there will be significant deaths. Fortunately, there were no deaths and no life-threatening injuries. However, it is of great concern that we had this incident.

In my ministerial statement the other day I thanked the various people involved in this incident. I place on the record again my thanks to them. I acknowledge that other members have thanked the people who assisted, whether they be rail workers, emergency services workers, Salvos or health workers. You name them, they have all done a fantastic job.

What this legislation and investigation is about is fundamentally ensuring that I or no-one else gets a telephone call again because an accident happened that could have been prevented if we had understood the proper causes. I cannot guarantee that any investigation will necessarily find the proper causes. In the case of the 747 that crashed off the coast of Newfoundland, a few years after they are still

not sure what went wrong. They think it may have been a spark in a pump or a tank that was empty. They do not know.

Most times investigations do find out what happened. After great forensic examinations, which take a long time, they do find out what happen. Sometimes they initially think that something was the cause of the accident but subsequently find out that it was something else. We would be very wrong to prejudge this investigation. We know that the data logger indicated that the train was speeding, but there may be all sorts of reasons why that was the case. We should not jump to conclusions prior to the investigation.

We want to try to establish what went wrong and how, in the future, these factors can be avoided. It does not matter from the point of the view of the investigation if what went wrong is that someone did the wrong thing. It is about actually putting in place processes to help control someone doing the wrong thing in the future. If we were talking about an aviation accident it could be that I was silly and flew an aeroplane when I was full of alcohol. We could, and I am making this up, have an alcohol testing machine in the aeroplane to protect people from doing the wrong thing and thus protect others. The purpose of this investigation is to actually prevent these things happening again.

The member for Burnett raised issues that I presume will be the sorts of things that the investigation will look at. I will not tell them how to conduct the investigation. I would presume that they will look at how the evacuation took place and what would be a better way of doing it. They will consider all those sorts of things, I presume. They are highly relevant areas for the investigation.

One of the other things that these investigations look at are human factors. They will look at how people interact with each other. There is a principle in the aviation sector that they call crew resource management. That is about ensuring multiple operators—say, two pilots of a plane or two drivers of a train—interact appropriately.

I have actually sat in a diesel tilt train coming out of Cairns. It is very interesting to see the two drivers working. They will say, for example, ‘Level crossing ahead. I see a red car.' They cross chat all the time. Crew resource management is about encouraging all those who are part of the team to interact. Even a flight attendant down the back of the plane who sees smoke under this principle would not say, ‘I am not going to tell the captain that because I will get abused. What do I know about it.' It is about encouraging everybody to interact. It is those human factors that are considered as well. The flight attendant or the captain may not have caused the fire in the engine but it is how they react to that issue. They will look at that as well.

This is about doing everything in our power to get to the crux of the situation. I accept the bona fides of everyone's contribution here. I understand full well why people would want to express their concerns. The member for Gladstone indicated that she was concerned about the fact that we will provide some protections for people who are required to provide information to the inquiry and that it casts a slur on them. I have to respectfully disagree with that point. It does not do that.

If a person is in a situation where to provide information can potentially incriminate them, then any competent legal adviser would advise them that they ought to decline to answer those questions on the grounds that they may tend to incriminate them. It is a fundamental principle of criminal law from hundreds of years ago that no person is required to answer questions that may tend to incriminate them.

The member says that we are covering things up. Given there is a $15,000 fine, a person has actually got to answer a question. But if a person is made to answer questions, which breaches the old protections that the criminal law provided for people, then they are entitled to expect to have protections for the answers that they provided.

The member for Maroochydore raised a number of issues. If I miss any of them, I am happy to deal with them in the consideration in detail stage. She asked about blood alcohol testing. I am not aware whether the rail safety investigators undertook blood alcohol tests. I would imagine that the police would have probably done that in the context of their investigations. I do not think rail safety investigators have the equipment to do that. If police do that that is part of their investigation.

The first people in charge of a scene are the police. Before anything else, they need to satisfy themselves that it is not a deliberate criminal act—that is, that it was not a terrorist act, it was not due to somebody putting a rock on the track or someone sabotaging something. They will not let anyone else near the scene until they satisfy themselves of that fact. They also determine whether someone was negligent. That is the role that they perform. We know that that is the role they perform because the commissioner took a decision to release the data logger information which he obviously had access to as part of his investigation.

In relation to blood tests, I am advised that the police will take a blood test as part of their investigations and it is likely that the results will be provided by police to RSOs or the board of inquiry. Once obtained it becomes restricted information for the purposes of the act which means its disclosure by our investigators is restricted, but this does not apply to police.

There would be no need for the RSO or board of inquiry to conduct its own blood test. The fact that the police have provided the blood test in no way hinders their use of the blood test result in relation to their investigation or possible prosecution. That is the information that they have. One could not get the information from the inquiry without the appropriate protections, but one can get it from the police in the normal course of events. The police use that information themselves. That is part of the normal police investigation.

The member for Gregory asked what I thought was a good question. Are we going to extend this type of legislation to other types of accidents—that is, those involving trucks and buses? The Commonwealth legislation extends to trains, planes and ships. That is its power. This is specific to rail safety investigations. That is essentially a policy question. That is something that we can have a look at. But we do not need to have a look at it in an expedited fashion.

Having said that, one of the differences between rail and aeroplane crashes on the one hand and road crashes on the other is that regrettably road crashes are very common and the causes and factors are fairly well understood. Whilst there might be individual instances that vary, rail crashes and air crashes of major proportions happen so rarely that they actually do not warrant actual special study. In respect of air crashes, one of the reasons we have cockpit voice recorders is that sometimes the people who are in the air crashes do not survive because of the nature of aeroplanes.

There is a difference. That is something that is essentially a policy decision, but it is not something that we need to decide today. It is quite an intrusive power to require answers. If the community thought that that was necessary, we could do that all the way down to car crashes or indeed other things. The answer is that they are not well understood. While the member for Gregory is in the chamber I should add that Queensland Rail's safety record is a very enviable one. The last fatality were two deaths in 1985 at Trinder Park. Since then there have been no fatalities. When one takes into account level crossing incidents and the like, the rate of fatalities for Queensland Rail per 100,000 is a quarter of those in Victoria and New South Wales. That is adjusted for population, and there are a lot of freight trains in this state. That gives the member a bit of an idea as to our situation.

The member for Moggill asked if we are protecting QR from liability. The answer is no. He also asked if we are restricting the rights of individuals. No. He also asked why this legislation is applied retrospectively. It is only applied retrospectively from 16 November, because the investigators set about their task at that point in time. Indeed, they were on the scene immediately. I am not sure of what time they were provided with their commission to investigate, but they may indeed have conducted inquiries prior to the formal commission being provided to them by the department to investigate it. Therefore, I am advised that it is necessary to go to the time of the accident. I want to make this clear: this does not protect from disclosure records that are in existence for the purpose of being records of, say, QR or of Queensland Transport—that is, those sorts of things that are in existence and not created for the purpose of this inquiry.

Things that go to the inquiry are protected in that the inquiry gets them. It is much like a doctor in that if I provided a doctor with some information about myself they are not really at liberty to disclose it. However, that does not mean that the information that I have provided to them is not able to be disclosed through other people or is in the hands of someone else who might have created it for me. That is really the distinction. Frankly, it is a pretty easy distinction to understand. This is about information that is in existence—that is, maintenance records, staffing rosters and all those sorts of things. However, the data logger specifically is excluded so therefore it is available. Those sorts of things are out there. The point is—

Dr Flegg interjected.

Mr LUCAS: Because it is about statements that were provided. If the inadmissibility provisions started today, then there would be statements that were taken by the rail investigators between the 16th and today that would not have the protection that is intended. This is about affording that protection. The maintenance records of the train, for example, were in existence long before 16 November. For example, the member has heard that QR said that the track inspecting high rail went over it two days beforehand. This is a record that presumably is available somewhere if that was relevant to someone's view of court proceedings, or the police might want to look at it. So it does not affect those sorts of things. The member for Gladstone raised a similar issue.

I think it was the member for Maroochydore—maybe someone else—who raised the issue of FOI. First of all, they asked about the CEO and why does the CEO have the power to do it. Essentially, after the investigation is over, the CEO is the custodian of the material. The CEO is the accountable officer. In fact, in the Commonwealth legislation it is the executive director who would be the relevant public servant in charge of that under the Commonwealth legislation. The CEO is the person who has that ability to provide that information. I should note as well that of course the legislation provides that the report must be tabled in parliament. It is not a case of the minister getting it and saying, ‘No, I don't like that.' It must be tabled.

Again, I come back to this point: who chairs it? The Commonwealth chairs it and also has half the members on the inquiry. Rest assured, the Commonwealth ATSB will not be mucking around. It will not

cop mucking around from the Queensland government if it thought that was what was happening—please be rest assured about that—and I would not expect it to. One reason that the decision was taken to appoint it was to give that sort of assurance to people so they knew that the Commonwealth was involved in this. I should say to the honourable member that at the Australian transport council meeting the other day we worked on national rail safety regulations. Part of it will include looking at this so that in the future we might actually have more uniform legislation in this area.

What about getting access to material that is restricted? The first thing is that the CEO can provide access to it. Why would the CEO want to provide access to it? First of all, there are the provisions that talk about safety. The CEO might say, 'By providing some information here, I can actually educate people as to what went wrong.' Indeed, as the member for Nanango's husband is a licensed pilot, she would be aware that every two months he gets a copy of the flight safety digest, which in fact often contains that sort of information. It does not identify people but talks about those issues so people can read it and say, 'Hang on. Look what happened. I could have done that.' Those are the sorts of reasons why a CEO might decide to release that. Similarly, there may be information that might be of assistance to people in legal proceedings that the CEO can release without it actually impacting upon the general provisions.

The other thing I should say about this, member for Maroochydore and others, is that the freedom of information provisions here are not an absolute prohibition. They are not gone; they are subject to the public interest disclosure provisions in the Freedom of Information Act. The decision maker could take a view in relation to what the public interest is. People can agree or disagree on that, but the Information Commissioner of course has the overriding power in relation to what is a public interest issue. So it is not only the CEO on the one hand; on the other hand there is the public interest test under the freedom of information legislation in the Information Commissioner's hands.

There was a question about the regulations by the member for Nicklin. I am told that the regulations have not yet been formulated, but we would be looking to base them on the Commonwealth regulations, and I can provide the member with a copy of them. They are basically with me. There is just one thing that troubles me that the member for Nicklin raised. He asked this: what happens if the investigation reaches certain conclusions and a civil or a criminal court reaches others? First of all, there are different standards that apply for a criminal conviction compared to a civil conviction. I am not referring to this case. It may be that someone does not have the mental capacity to be prosecuted, but there still might be a civil claim because they are vicariously liable on behalf of someone, for example. One of the reasons we compel people to answer questions in a safety investigation is that we want to find out what happened.

I do not want to have a criminal law debate here, member for Nicklin, but we might get a lot more convictions if people are required to answer questions from the police and are required to give evidence in court. It is not for me to say that that should be the way and that I am here today to overturn a few hundred years of criminal law, but that might be more the way one might think about these things. I am not suggesting that we should do that, but that is really more the point. In criminal law there are things that are not admissible. For example, in criminal law you are not able to admit the previous criminal history of someone. In a civil case that may or may not be relevant. Maybe in an accident investigation it may be relevant. There are different rules that apply so different conclusions can be reached quite legitimately and are quite bona fide. I think that is all of the issues.

Mr Wellington: Can you get some guidance from the Clerk about the Scrutiny of Legislation Committee?

Mr LUCAS: The Clerk has indicated to me that he shares the member's view of the interpretation. I will have to take some advice on the government's position in relation to that.

Mr Wellington: I certainly can't support it then if you are not prepared to have it before the House, but that's your call.

Mr LUCAS: No, that is something that is not for me to indicate to the member without actually consulting others. I do not make decisions in relation to legislation by myself. These are cabinet decisions and, indeed, it is something that I would need to talk about with the Leader of the House. In principle, I would have thought that anyone can examine the legislation on an ongoing basis. I do not have a problem with it, but I will have to take some advice in relation to it. I might be able to do that—

Mr Wellington: Is it possible for you to get that advice before we actually vote on it?

Mr LUCAS: The problem is that I am just about to sit down. We are just about to vote in relation to this bill. That is the difficulty. Maybe the member might want to see what happens at the third reading stage. Obviously, I have to stay here and answer questions in the consideration in detail stage. I commend the bill to the House.

Motion agreed to.

Consideration in Detail

Clauses 1 and 2, as read, agreed to.

Clause 3—

Miss SIMPSON (4.51 p.m.): This clause covers a number of matters, but it provides in particular a definition of 'restricted information'. I have raised my concerns, as have other members on this side, about some of the information that may be exempted from access to people who may seek to take civil action or in investigations where police are pursuing criminal matters. I find it interesting that the minister sought to provide assurances that the necessary information would be available to people for such proceedings, but the definition of 'restricted information' actually goes to the trouble of excluding the data logger.

Mr Lucas: No, it says 'other than data logger'. The data logger is not restricted.

Miss SIMPSON: That is what I am saying. It says '"Restricted information" means any of the following, other than data logger recording information...' So the definition of 'restricted information' specifically excludes the data logger. Obviously, the data logger has to have the information available for public scrutiny and other lines of inquiry. So it is correct that the data logger should be excluded as the legislation outlines.

The point I am making is that it is interesting to note that the minister has had to go to the extent of actually specifically identifying the data logger as needing to be excluded from the definition of 'restricted information' when he has made much of the fact that other basic data would be available to people if they are seeking to take civil action. I just find it quite extraordinary.

We believe that the data logger should be available, as the legislation provides, but we have to question whether this means that there is other data that potentially may get sucked into an inquiry because there may be only one lot of information pertaining to that matter. Is it requested information under the powers of this legislation and, therefore, that data does not become available to people seeking to take civil action or action through the criminal process?

Mr LUCAS: I thank the honourable member for the query. When she refers to information being 'sucked' into it, if it is information that is in existence that the inquiry would seek access to, then it is only that information in the possession of the inquiry as distinct from information in the possession of where it was created or where it has come from. That is not protected and is subject to whatever the general provisions of the law are in relation to that information.

What is potentially restricted is, for example, if someone came and gave a statement. But that is not to say that the police are not entitled to take a statement from someone or, indeed, if someone brought civil proceedings, that they could not subpoena someone. A witness subpoenaed in civil proceedings can refuse to answer questions on the grounds that it might tend to incriminate that person in a criminal offence. But if there is no potential to incriminate that person, that person has to answer the questions. Say there is a passenger witness who is not in the frame at all. Some other civil claimant can subpoena that person, make them come to court and they have to answer questions. The general provisions of the law apply.

This clause really deals only with information in the possession of the investigation, but people would not be able to get it from the investigation in the absence of the FOI procedure and the chief executive.

Miss SIMPSON: With respect, the definition of 'restricted information' is far broader than just statements. For example, the clause states at line 31—

(e) in relation to rolling stock that is or was the subject of an investigation or an inquiry—information recorded for the purposes of monitoring or directing the progress of the rolling stock from 1 place to another or information recorded about the operation of the rolling stock.

I quoted that clause because that clearly is basic information that is in the possession of Queensland Rail. It is not a statement, but it raises in my mind concerns that there may be specific information that finds itself only within the inquiry and not available to police. It is classified as restricted information. We are not talking about statements that somebody has made and the minister is seeking to provide indemnity because of his concerns that they would not otherwise speak freely.

I really have concerns as to how broadly this 'restricted information' definition is throwing its net and whether potentially there is data that may not be replicated and able to be sourced independently of the person who has been requested to provide that data. That is my concern. If people are not able to access that data because it is restricted, is it going to impinge upon people's ability to take civil action?

Mr LUCAS: I do not want to repeat myself, but that is not the intention. I have just sought clarification from my departmental officers who tell me that, for example, signalling information would be available in the normal process through third-party discovery. I just state to the member that that is the intention of this legislation. I want to make that clear.

The other point that I want to make relates to timing. The urgency is the inquiry, because it is about finding out what went wrong to prevent it happening in the future. That is something that we want to try to do as promptly as possible. As someone who was involved in plenty of civil proceedings when practising as a lawyer, I can say to the member that those proceedings take a fair bit longer. People's medical injuries need to be established and matters as to when they stabilise or when they will recover are long-term issues. So I say to the member: please rest easy. I would be very surprised if any civil proceedings were wrapped up and finalised before parliament came back in February. Typically, they take months, if not years—and usually years.

That is not the intention of this clause. I just reiterate that if the rail safety investigator required someone from QR to bring in maintenance records or something like that, that does not mean that those maintenance records are not accessible through whatever process would be appropriate in relation to QR itself. I should say that that situation applies to Pacific National or any other rail operator that was subject to the investigation. I just have to say that. I do not know if I can take it any further.

Miss SIMPSON: I appreciate the minister's advice. How does this 'restricted information' category relate to the driver's logbooks? Would this mean that if there is a driver's logbook, it would be classified as restricted information and it would not be available to anybody once the rail safety officer had requested that?

Mr LUCAS: No. First of all, I do not know whether drivers have logbooks in trains.

Miss Simpson interjected.

Mr LUCAS: I do not believe that they have logbooks as such but, in principle, if that is a record that is in existence for a general purpose then that is something that would be available. That does not mean someone can just bowl in and say, 'I will have it.' They might have to go through a third party discovery procedure or an affidavit of documents—

Miss Simpson: This actually restricts that process.

Mr LUCAS: No. This is about documents once they come into the possession of the investigation or that are created for the purpose of the investigation. It is not about documents that were created for another purpose and that are obtained from the original place. That is what it is about.

Miss Simpson: It also covers producing documents—not the creation of documents but the producing of documents.

Mr LUCAS: Sure. What it means is that if a document goes over to the inquiry I cannot get it from the inquiry, but I can get it where it is kept at QR—its repository, where it came from—because that is not a document that is created for the purpose of the investigation. If on the other hand the inquiry interviews someone and takes a statement from them under those appropriate conditions then you cannot get it, because that is part of the rules for that. The sort of material people would typically use to prove a civil claim is in the former case. I will find out about that other matter as soon as I can.

Mr MESSENGER: I refer the minister to clause 3, proposed new section 213A(1) (b) (ii), which refers to 'investigations or inquiries conducted to find out the cause of the incidents'. Are QR investigations, or any investigations, on hold right now until after this legislation is passed? Are there any parallel investigations?

Mr LUCAS: I do not know what QR is looking at internally. I would imagine that it would actually have an internal investigation of the matter. It has a duty of care. It would not just sit back and let the inquiry go on but do nothing itself. So it is quite likely that it would want to have a look at its own information. I guess the member's next question would be: 'Would that be accessible?' Is that the next issue?

Mr Messenger: The information that it has gathered so far.

Mr LUCAS: Certainly the inquiry could get hold of it. I presume that in relation to others it would be what the general law would provide.

In answer to the honourable member for Maroochydore, I am told that drivers do not have a logbook. They fill out a time sheet for each shift. The time sheet, for example, is a document that I believe would be available to people. But it would not be obtained from the inquiry; it would have to be obtained from QR.

Mrs LIZ CUNNINGHAM: 'Restricted information' includes, at paragraph (e)—

in relation to rolling stock that is or was the subject of an investigation or an inquiry—information recorded for the purposes of monitoring or directing the progress of the rolling stock from 1 place to another or information recorded about the operation of the rolling stock;

During the second reading debate I raised an issue to which the minister responded. If a person who was on the train needed, perhaps as part of their case, information on the maintenance program for the last 12 months or two years, whilst the RSO may have received a copy of that information it would be discoverable to the person.

In relation to paragraph (e), if it was found that the type of diesel engine that was pulling the tilt carriages created a disadvantage in that the engine did not have the same rolling capacity, speed capacity and stability as the tilt train carriages and that that was perhaps a contributing factor to the derailment, would there be any mechanism, as a result of paragraph (e), for people who were on that train and who were victims of the accident to ever get that very basic engineering type information?

Mr LUCAS: That is a good question. There are a few things I would like to say. First of all, if the member is asking about the ultimate conclusions of the inquiry, if the inquiry concluded that that was the causative factor—something wrong with the equipment—then what the inquiry concluded would not in itself be admissible because that is the purpose of the inquiry. Having said that, we then go back to a few other provisions. The first provision is that the chief executive officer can release information if he or she sees that it is in the public interest to do so. Secondly, freedom of information allows a public interest exemption that the Information Commissioner, who is independent of government, can ultimately decide.

One other area that is worth considering is that, whilst a report itself is not admissible as evidence, if someone actually ends up with a report that says, 'This is the cause of it,' and the cause would indicate that a particular individual is guilty of negligence, then people know that they probably have other ways they can prove that. Those are the sorts of things that are highly relevant to people's conduct of their own legal proceedings when they are defending civil proceedings against them. I hope that clarifies it.

If on the other hand someone was saying, 'Maybe there is a report in existence'—speaking hypothetically—'that questioned the suitability of something or other,' and the inquiry said, 'We want to look at this,' and then as a result of looking at that it drew some conclusions, then its conclusions would be its conclusions. But the actual report that QR, Evans Deakin, Bombardier or whoever may have commissioned in relation to that—they might have been out there weeks, months or years before—is not protected from being produced or discovered or from people drawing conclusions based upon that.

What one normally does in a legal case is get evidence and put it to an expert witness. For example, they call John Smith, track engineer, and say, 'Mr Smith, here are the facts of the track condition on this track. What do you think of it? Do you think that was a causative factor?' Calling expert evidence to do that is something that is done in civil proceedings, and indeed criminal proceedings, all the time.

Mrs LIZ CUNNINGHAM: There are two issues I wish to have clarified. The minister said that the chief executive can disclose restricted information in the public interest. In this legislation I have not found that cause for him to release information. I would value the minister's clarification. Another section states—

The chief executive may disclose restricted information to any person if the chief executive considers that the disclosure is necessary or desirable for the purposes of safety of transport by rail.

That is a qualified public interest disclosure. It is not a general disclosure without any qualifications. Is there another clause in the bill that I have not seen that provides for a general public interest disclosure?

I refer again to paragraph (e) of the definition of 'restricted information' at clause 3. I refer to the equipment—the marrying of the engine with the rolling stock—and the suitability of the two styles of equipment. If an informed civilian had gathered information that indicated a lack of compatibility or a higher level of vulnerability because of the marriage of the diesel engine with the tilt train carriages, because of the constraints this legislation imposes in terms of information, would that interested civilian be precluded from being used in a civil or criminal case?

Mr LUCAS: Absolutely not. If I know about these things—if I am an educated civilian in relation to it—I can front up to the inquiry. I am totally at liberty then to offer myself to people, to get into the paper saying, 'This is what I think is the reason,' or to say to people, 'I am happy to give evidence.' Mind you, people could not go and get my statement to the inquiry. But the educated or interested civilian can certainly speak to a whole lot of people including the inquiry, the police, the local newspaper or the lawyers. No doubt a number of people will speak to the police, will speak to the inquiry and may speak to civil lawyers as well. There is no problem with that at all.

It is not permanently binding on people. It is the information that they provide to that inquiry which cannot be passed on, but they can provide that information to someone else. It is not like a submission to a parliamentary committee, where once evidence is given to a parliamentary committee it cannot be given anywhere else. The same information can be given but not that from the inquiry.

Clause 3, as read, agreed to.

Clause 4—

Mrs LIZ CUNNINGHAM (5.10 p.m.): I have a question for the minister. Clause 4 states—

(5) The chief executive must give the Minister a copy of the RSO report within 14 days after receiving the report.

(6) The Minister must table in the Legislative Assembly a copy of the RSO report within 14 days after receiving the report.

My concern is that the reality is that this report will be so sanitised and lacking in detail that it will not really achieve much at all. I am not criticising the tabling of it, but, because so much information will be restricted in the RSO's ability to reproduce it in a report, and therefore the ability of the minister to table the information, are we going to get a report that is so generalised in its detail and so non-specific that it will bring no comfort to victims of the accident?

Mr LUCAS: First of all, because I am not a party to preparing the report, and nor should I be, I cannot say what is in it. But I will say this: it is chaired by the Australian Transport Safety Bureau. It is world class in its investigation of aviation and other incidents. I will table for the benefit of honourable members an aviation safety investigation conducted by the bureau. It is not related to this incident, obviously; this is a train crash. But it will give honourable members an idea of the sort of investigation that it conducts. I do not know what sort of report it will table on this matter because I am not the bureau, but this report is entitled *Investigation into Ansett Australia maintenance safety deficiencies and the control of continuing airworthiness of class A aircraft*. It is an aviation safety investigation numbered BS/20010005. That will give members an idea of the sort of information contained in such a report.

What will be provided will be what the bureau thinks is appropriate for the circumstances. I cannot pre-empt that. All I can do is show members another sort of report. I do not know what its ultimate report will look like, but that is one it did into aviation and we pulled it off the web.

Clause 4, as read, agreed to.

Clause 5—

Miss SIMPSON (5.12 p.m.): I want to raise again with the minister an issue relating to alcohol tests and drug tests for medical examination. If rail safety officers collect this information, that information cannot be used to incriminate somebody. I accept what the minister is saying that it is more likely that police will take the information, that it will be a parallel process when they take the information and that it does not matter if they supply that information to the investigators as that information is still available for civil or criminal proceedings.

If that is the case, one has to ask why we need to create this provision in this bill where rail safety officers take alcohol, drug or medical examination information and make their collection of information exempt in regard to the person who may be liable. It just does not make sense why the minister has gone to these extraordinary measures. There is already a provision in the act where people are required—not just requested but compelled—to provide alcohol, drug or medical tests, though under this act they could not be indemnified against liability arising from that.

It is bad policy to have in this act an exemption for somebody who is found, from information collected by a rail services officer, to have taken alcohol or drugs. I want to say on the record that I am not implying in any way that this is the case with this inquiry that is currently going on.

Mr Lucas: No, we know that.

Miss SIMPSON: A lot of our questions are not meant to cast aspersions on those who have been involved as rail drivers, but it is the principle of the legislation that is being put forward that will stand and will be used in other incidents in the future. That is why we are asking these questions, because they are extraordinary powers. It does not make sense to exclude somebody from liability under this bill if information collected by rail services officers shows that they were drunk or under the influence of drugs. I have grave questions about the message it sends out and the necessity of it.

Mr LUCAS: First of all, let me say this: the responsibility for dealing with people who have an illegal substance in their bloodstream is with the police. We have medically qualified people here—two whom I can see—who would understand, for example, that it is not just a question of whether a person had an illegal concentration of alcohol in their bloodstream. It might be a report that might show a person is HIV positive. That might have no relationship whatsoever to the causative factors of the accident but the blood test will show that. It might be a blood test showing that a person had some hardening of the arteries. I do not know what blood tests show, but it might show that a person had something happening to them that was not the result of an illegal drug, but we might find in an investigation later on that it interacts with other things to cause problems, but it is not otherwise illegal. For example, we may find someone in good faith was prescribed various medication. They took both of them, it interacted badly and that could have been a causative factor in the accident. That is not a question of getting into that person. Indeed, the police might not be able to charge them because they might not be doing anything illegal, but it might be something about which the medical evidence would be highly relevant and we would want to have a look at it. That could happen without any fault on that person's part.

I suppose the easy way would be for me to ask the Police Commissioner: did you do a blood test for any relevant people? He says ‘yes' or ‘no' and it is all academic. I do not know and I am not in a position to ask any more than the member is, but it is not the purpose of this. Say, for example, an accident happened at midnight and the rail safety investigators arrived on the scene at 2.30. Under my understanding of the law, they have two hours to take the specimen. After that point in time, they cannot use it to prosecute someone. That is the law. But rail safety officers may wish to have some regard to

that. If a person drink-drives, there are provisions in the criminal law in the traffic act to deal with that. That is how it is dealt with. That is what I would hope would happen in relation to those people. I would imagine the police were on the scene long before that. I would imagine people were taken to hospital. They may have had a blood test taken in hospital. That is the purpose of it.

Miss SIMPSON: I thank the minister for his explanation but it does not calm my fears in regard to why this provision is here. I know the existing act had a time limitation in regard to the taking of alcohol and drug tests, recognising there is a limitation as to how effective the testing will be if it is taken after two hours. But it just does not make sense as to why the minister has sought to put into this act an additional provision to what previously existed. Under the current act there is already the ability to take alcohol and drug tests and to compel people to provide such tests. This new amendment can still compel people to take alcohol and drug tests, but if those alcohol and drug tests have been taken by a rail safety officer then those results will not be able to be used in a criminal or civil proceeding. It just does not make sense, and it sends a really bad message that what may be evidence of criminal negligence through alcohol and drugs will be exempted from civil or criminal action.

Mr LUCAS: Yes, but the existing provision is in relation to establishing the cause of the accident, not in relation to other things. The police deal with people who have exceeded the prescribed concentration.

Dr FLEGG: I think I understand what the minister is saying in relation to that. I have to confess that I share the concerns of the member for Maroochydore. Firstly, to have any value at all the blood or alcohol test will be taken shortly after the accident, so it is not really a matter of whether people are going to volunteer information to the inquiry. Drug and alcohol effects are major effects on accidents and they are, in particular, major effects on culpability or liability for accidents. The minister has to have pretty sound grounds to want to protect the result of something that is so vital, both in causing the accident and in apportioning any liability if there is any liability to apportion.

The minister mentioned a couple of things. One was in relation to HIV. The act refers to alcohol or drug tests, unless the minister is referring to the HIV test under a medical examination because if a drug or alcohol test was done then HIV would not be picked up—

Mr Lucas: But it might show other things. All I mean is that the test might show multiple things.

Dr FLEGG: I accept that. The other thing that the minister mentioned is prescription medications which, of course, come under the heading of drug tests and are actually widely abused, widely available and very important contributors to all of these sort of accidents. I think the same provision that would apply to drug and alcohol would also apply to prescription medication, perhaps even more so, because people driving trains and that type of thing—

Mr Lucas: Operating machinery.

Dr FLEGG:—should be well aware of the effect of a lot of prescription medications. In general I do not see the value in having that provision there in terms of helping the inquiry. Of course, this is going into legislation. It will not only be for the tilt train inquiry. What the minister may find, and is likely to find in the future, is that where we are collecting blood specimens and things in this day and age that other methods of collecting those specimens will come to light in the future and may very well be applied by people other than other medical staff or police. I am a bit uneasy about that provision. Could the minister comment on that?

Mr LUCAS: I take the honourable member's point. In the future, if we allow people other than police or duly qualified medical staff to take specimens, it would require an amendment to the traffic act to actually authorise that to take place. When a law is changed people consider changing a law in all of its contexts. The chopper actually arrived at 6 a.m. with the rail safety officers so they were not anywhere near there within the two hours that would have applied under the traffic legislation.

The member for Moggill asks, quite rightly, what happens if the investigation shows other people had drugs in their system that may have been a causative factor in the accident? Typically, the investigation report would not say that one of the drivers, Bill Brown, did it. It would probably say, 'Causative factors. Presence of a drug in the blood stream of one of the drivers such as caused him or her to lack the capacity to control the train, plane, whatever', and that would be a causative factor. That is pretty indicative of the cause of the accident.

Dr Flegg interjected.

Mr LUCAS: A railway safety officer does not have the capacity so that evidence, as far as I am aware, that they procure say from a blood test is admissible in relation to charging someone for a drink-driving process. There is a set procedure that one goes through. We have seen in other states what happens when that procedure goes awry. There is a set procedure for how one prosecutes someone as a result of that. The continuity of evidence, the accreditation of who provides it and all that sort of stuff is relevant because a criminal issue is being dealt with as distinct from an issue such as the causative factor.

Mrs LIZ CUNNINGHAM: I have one quick question in relation to that and then a short question afterwards. The minister has mentioned the role of the police in BAC testing, appropriately. Can the minister clarify—hopefully yes or no—if in this instance or in another instance where an accident occurred that if blood was taken by hospital staff or a medical person who attended the scene and the blood was taken and tested, would the results of that BAC test be available to police officers, as in the normal course of events, or will this legislation mean that both the sample and the sample results will be covered by the confidentiality in this clause, bearing on the fact that the minister was talking about BAC being a police matter routinely?

The other point is that sections 217(9B) and (9C) provide that specified evidence given by a person in response to a requirement by an RSO is not admissible in any civil or criminal proceedings. Further, any information or thing 'obtained as a direct or indirect result' of evidence is also not admissible. Could the minister clarify what he means by 'indirect' and give an example of the type of evidence?

The last question is: how long will information that has accrued under this investigative process with RSOs be excluded from discovery? Is it like the 35-year cabinet exemption, or is it forever?

Mr LUCAS: The latter I will have to find out for the member. The Public Records Act has certain rules in relation to personal information. Some of those might be forever in a sense. They might be highly personal things about someone's adoption history or something like that. It would depend on the circumstances. We will not finish tonight so I will get back to the member on that point.

If the medical officials took the blood sample at the request or direction of a police officer in accordance with the provisions of the traffic act for the purposes of that act, then that is something that is in the hands of the police. If they want to give that information to the rail safety investigator that is for them, but the rail safety investigator cannot say, 'Hang on, no, you're not allowed to use that, please, for your purposes because it was taken for police purposes and it is up to the police to control it.'

The access that one can get to that is not effected by this. That is the standard access that someone can or cannot get to police blood alcohol readings as a result of them taking the readings in places.

Mr JOHNSON: There has been a fair bit of toing-and-froing on section 217(9B) (d) this afternoon, which states—

The results of an alcohol test, drug test or medical examination of an individual mentioned in subsection (5).

I have to say to the minister that the general public—the wider electorate—is asking: why are we discussing this legislation? What is the cover-up here? Is there a cover-up with this? That is the question that is being asked. The minister can smile if he likes. That is the situation here. The questions have to be answered.

As the minister says, a rail safety investigation officer does not have the power to do that blood alcohol test but, as he rightfully said, the police officer does. When the police officer was on site he would take control of that crash scene straightaway. It would be his area of responsibility.

The other thing I say today is that a couple of weeks ago a Supreme Court justice in New South Wales would not produce his blood capsule because he knew that he was guilty of driving over the blood alcohol limit. Ultimately, now that he has turned in his capsule of blood he has found himself in violation of the law. I hope that there is not a cover-up here to the extent that that is why the unions come to the party.

At the end of the day, these are the questions that must be asked when an event as serious as this one occurs. As members have said this afternoon, thank the Lord that nobody was killed. If situations arise where alcohol and drugs are involved—which is what this legislation is all about—God help the rest of the people in Queensland who actually want to uphold the law. As I said, if there is a coach accident on a major highway, involving serious injuries and fatalities of passengers, will we have legislation to cover that event?

There is no doubt in the world that insurance is a factor here. If one of these people—and I hope not—is proved to have used alcohol or drugs—and remember, we are talking about absolute zero tolerance—then we have a real catastrophe on our hands, not only for Queensland Rail but also for the Queensland government and the taxpayers of Queensland. I hate to think what the cost would be, and that is why we want honesty from the government about this matter.

Mr LUCAS: The suggestion that this clause would be put in here to cover something up is blatantly wrong. If any train driver in Queensland has alcohol in their blood when they operate a train, there is no place for them in Queensland Rail.

Mr Johnson: But it is too late, Minister.

Mr LUCAS: I make it crystal clear that there is no place for them in Queensland Rail.

Mr Johnson: It is too late.

Mr LUCAS: I do not know who tested—

Mr Johnson: I agree with you, Minister; I agree.

Mr LUCAS: I sat down and shut up while the member made his contribution; now I will make mine.

Mr Johnson interjected.

Mr LUCAS: No, I do not know if they were tested or not, because I do not direct the investigation. The police were at the scene and presumably they have done that. I know of no suggestion, nor have I seen any, that someone was under the influence of liquor or a drug, but I am not in possession of that information. I presume that if a blood sample was taken, it would be analysed. After an accident, it is routine practice for the police to require a blood sample. The sample taken by the police is not treated in the same way as the sample required by a railway safety officer. If the police give the sample to the railway safety officer, they can do with it what the member has said they could do. However, that does not stop the police acting on it insofar as the law entitles them to.

Debate, on motion of Mr Lucas, adjourned.

SITTING HOURS; ORDER OF BUSINESS

Hon. A.M. BLIGH (South Brisbane—ALP) (Leader of the House) (5.31 p.m.): I advise honourable members that the adjournment may be moved after the private member's motion today to be followed by a 30-minute adjournment debate.

DISABILITY SERVICES; ENDEAVOUR FUNDING

Mr SPRINGBORG (Southern Downs—NPA) (Leader of the Opposition) (5.32 p.m.): I move—

(1) That the Beattie government recognises the plight of unfunded Endeavour residential clients and their families; and

(2) That the Beattie government allocates funding to Endeavour from its surplus to guarantee its accommodation needs as promised by the Minister for Communities and Disability Services.

Last month the government proudly boasted a $3.34 billion budget surplus. However, a few weeks later, this parliament has gathered to acknowledge the endurance and, unfortunately, the plight of the Endeavour Foundation. At the outset, I acknowledge the many fantastic volunteers and employees of Endeavour in my electorate who do an absolutely brilliant job in providing services, whether it is residential accommodation or support employment services to Endeavour clients.

There is no doubt that if it was not for the work of the Endeavour Foundation in my electorate, those people would not have the same level of love, care and affection that they are shown by Endeavour. Endeavour has done a fantastic job in this state for decades. It is recognised as doing so because it has been driven by people who have really had something to contribute from the heart. It has been driven by the families and it has been motivated by their love, care and affection for their family member who requires those services and it has been well delivered in that particular time.

The broader community recognises its obligation to care for the less fortunate. Consequently, I call on the Beattie government to remember its moral obligations and responsibilities to those people who have an impairment but who are quite capable of being independent and proudly independent.

As members would be aware, the Endeavour Foundation is a Queensland based, not-for-profit organisation which is devoted to providing independence to people with intellectual impairments. Endeavour provides this independence through the provision of employment, education, life skills training and residential facilities. It is one of Australia's most successful and well-known human service organisations. It employs in excess of 3,000 staff with 220 service localities in Queensland.

Even though Endeavour did not receive government funding for some of its residentials or some of its adult training and support services, they soldiered on and continued to run their facilities. On 7 October this year, the Minister for Disability Services announced that the Endeavour Foundation would receive an additional $4.7 million in viability funding and an additional $2.7 million for fire safety compliance, on top of their annual recurrent funding of $32 million. However, the government's contribution was viability funding. I will say that again. The government's contribution was viability funding. Once again, it did not recognise the unfunded services being delivered by the foundation.

At this juncture, it is interesting to note that the Productivity Commission estimated that it cost the Queensland government $92,000 per placement compared to a nonprofit organisation's cost of $38,000 per placement. The variance is remarkable, but still the Beattie government chooses to disregard the cost-effectiveness of appropriately funding the Endeavour Foundation. As a consequence of the government not recognising the unfunded services, Endeavour lacked the financial means to continue to provide its current unfunded services. Due to that lack of funding, the Endeavour Foundation was forced to make the decision to cease those unfunded services. That decision affects 15 unfunded services, including 11 residential and four day services. However, in human terms, the decision negatively impacts on 61 people in residentials and 96 people in the day services. This relates to 157

placements, as some of the people attend both. The total number affected by the lack of government funding is approximately 120 intellectually disabled people.

In a parliamentary speech on 5 October this year, the shadow minister for disability services and member for Charters Towers called on the Minister for Disability Services to urgently provide funding, accommodation and training to support Endeavour's services in south-east Queensland. Mr Knuth stated—

Party colleagues will continue to do their utmost to ensure that people with disabilities receive the highest quality care and support. I call on the minister to provide funding, training and support for this service.

By way of an interjection, the disabilities minister responded—

You'd better come and see me, mate. You're about five days too late. It's all been fixed up.

That was an interesting statement by the minister. Perhaps he can enlighten the parliament as to who has been 'fixed up'—or did the minister mean 'stitched up'? I am sure that the Endeavour Foundation and its residential clients and their families, in particular, feel as though they have been well and truly stitched up by this government. Queenslanders are well aware that the Beattie government has turned indifference and neglect into an art form. It is time for the parliament to flex its collective muscle and state quite categorically that we, the parliament, will not tolerate neglect or indifference, particularly in regard to those who have a disability. The foundation's clients—who, I emphasise, are valuable citizens of this state—are people with a degree of disability; they are not people with a degree of invisibility. Consequently, this parliament should implore the government to reach into the taxpayers' coffers and allocate the required level of funding so that those 15 unfunded services can continue to provide a place to live and a place to work for those 120 disabled people.

The government cannot divorce itself from responsibility because the Endeavour Foundation has been previously attempting to meet this unmet demand. To date, the government says people will not be homeless, but has it considered the impact on these people accommodated in residentials who want to stay with the residents with whom they have resided for so many years or those who have established social networks with their respective residential locality and/or have a job at a nearby adult training support service?

The government is callously disregarding the impact on these people who are likely to lose their home, their house mates as well as their job. If the government does not alter its course these people will be further disabled by the government's arrogance.

Article 3 of the 1975 United Nations Declaration on the Rights of Disabled Persons states—

Disabled persons have the inherent right to respect for their human dignity. Disabled persons, whatever the origin, nature and seriousness of their handicaps and disabilities, have the same fundamental rights as their fellow citizens of the same ages, which implies first and foremost the right to enjoy a decent life, as normal and full as possible.

Various Beattie government representatives, with their pseudo social welfare policies and philosophies, will stand in this place and espouse that they care and they are concerned about disabled people, the plight of the Endeavour Foundation and its many clients. It is a stark example of reality colliding with fiction. I call on those representatives who wish to espouse their pseudo social welfare philosophies to acknowledge that the Endeavour Foundation clients have a right to respect for their human dignity. They have the same fundamental rights to enjoy a decent life as normal and as full as possible as stated in the United Nations articles. As I said previously, I implore this parliament to apply the blow torch to the belly of this arrogant executive government to ensure that no disabled person loses their home or their job and that those people with impairment will be able to enjoy a decent life as normal and as full as possible.

In discussions that I have had with the minister in the past he has indicated to me what I believe was a genuine concern for these unfunded clients. However, I am very concerned about the inaction of the government in meeting this unmet need. This motion tonight is about ensuring that that unmet need is met and those concerns are addressed.

Mr KNUTH (Charters Towers—NPA) (5.42 p.m.): I rise to second the motion moved by the Leader of the Opposition. This issue strikes at the very heart of a government responsibility—that is, its duty to provide for the needs of Queensland's most vulnerable citizens. Intellectually disabled people and the loved ones who care for them have the same basic rights and needs as the rest of us. It is time this government realised that. I for one will not stand by and allow this government to trivialise the rights of our most vulnerable citizens.

For too long the Beattie government has shunted the care of disabled clients onto non-government organisations, abusing the goodwill of these organisations and forcing them into unsustainable financial positions. The Endeavour Foundation currently has 15 unfunded services—11 residential and four day services—catering for the needs of 120 intellectually disabled clients. Endeavour has absorbed the government's responsibility for many years and funded these services out of goodwill.

A recent appeal by Endeavour for $3.1 million to maintain these services was refused by the minister. Up to 120 intellectually disabled clients now face uncertainty and upheaval. The demise of

these services, the displacement of these individuals and the heartache that it has caused their families is now on the conscience of every single member of the Beattie government.

The minister has attempted to pacify these families by assuring them that affected individuals will be provided with alternative placements. If the minister took off his rose-coloured glasses for a moment he would notice that these services have remained unfunded for many years because of the critical shortage of placements and funding in the disability sector. I am asking the minister to come forward and identify the supposed surplus of alternative placements that he has been referring to because all that I can find is a growing level of unmet need.

The Premier has recently been gloating all over Queensland about the size of his supposed budget surplus. At the same time that the Premier was wallowing in his positive budget figures, Endeavour was denied funding for its unfunded services. Perhaps the Premier could hear the cries for help above the self-congratulations and backslapping that was going on in the Labor Party.

I call on the minister to now face up to his responsibility both as a minister and a decent human being. The minister's stop-gap solutions are not real alternatives for the individuals affected or their families. These individuals are now losing their homes, their house mates, their daily routine and, in some cases, their jobs. They have been robbed of any choice about their future accommodation and lifestyle options. Every member who sits opposite tonight has been complacent when it comes to the plight of those families who are sitting in the public gallery.

The Productivity Commission estimates that the cost of government provided care is approximately $90,000 per placement.

Mr Livingstone: What percentage of funding did they get under a National Party government?

Mr KNUTH: They are up in the public gallery. The member should tell them that. The same report also estimates that the cost for non-government provided care is approximately $38,000 per placement. In the face of these figures, the minister must acknowledge the financial lunacy of this decision. Instead, the minister has opted against funding Endeavour despite the obvious savings that it would deliver to government. I call on the minister to urgently allocate funding to Endeavour to ensure that these essential services can continue.

Hon. F.W. PITT (Mulgrave—ALP) (Minister for Communities, Disability Services and Seniors) (5.46 p.m.): I move the following amendment—

That all words after "government" are omitted and the following words inserted:

"has recognised the plight of the unfunded Endeavour residential clients and their families;

has allocated a record $40 million to Endeavour over 2004-05 which will assist in meeting the needs of these clients following the Endeavour board's decision to cut services to them on August 9; and

has allocated $345 million this year for people with disabilities which is a massive increase on the $125.14 million allocated by the Coalition Government in its 1997/98 Budget."

By bringing on this debate the Leader of the Opposition reinforces just why his party sits on six per cent in the polls. We all know that the Endeavour Foundation has faced numerous financial challenges in recent years. My department, Disability Services Queensland, has been working closely with Endeavour to help address its financial situation. This financial year the Beattie government will provide more than $40 million to Endeavour, including $4.7 million in viability funding.

At the outset, I want to put paid to the nonsense about what I said or did not say on ABC Radio. What I said was—

And in a perfect world, Endeavour should be able to contract back with DSQ to keep those people in situ and that's the perfect world.

We'd all want that to happen, but that is a decision Endeavour have got to make.

They have to decide what services they want to keep open because they have other financial pressures within the organisation unrelated, of course, to unfunded clients.

Now, should Endeavour decide to keep clients in situ, we're quite happy to support that and provide the funding for them.

If they can't do that, DSQ will look for their own services to see if we have gaps for those people or other providers.

... we would like to keep people together or at least close to their own community, if not the immediate communities they have now.

I know what has been said since by Mr Austin. He has implied that I am a liar and accused me of making certain promises I will not keep. But have a listen to what Mr Austin's next question was. He asked—

So, you are going to aim to keep them together.

But eventually, once you get new positions, they will be shifted out of their communal arrangements that they're in, that you're currently assessing and funding now?

I doubt anyone could honestly assert that is a question from a journalist who truly believed I had promised to provide funding to keep all Endeavour clients where they currently are. Of course not! It is clear Mr Austin has engaged in the rewriting of history. The most unfortunate aspect of this is the

confusion and uncertainty that such a misrepresentation of my comments in the media may have caused vulnerable people with a disability, their families and carers.

Let us make a few points very clear. The Endeavour board made a decision on 9 August to cut services to unfunded clients. DSQ is working with Endeavour to find alternative places for those clients affected by Endeavour's decision. Endeavour has identified up to 14 vacancies in its state funded accommodation services which could be offered to people living in unfunded houses. In other words, a number of clients would be able to remain with Endeavour, as I said in the ABC interview.

Work is going on to find alternative accommodation and day services for clients. My department is also working closely with Endeavour to develop a comprehensive five-year business plan for the organisation. This is something that clearly has been lacking in the past and no doubt has played a role in bringing Endeavour to the position it is currently in. It became very clear that Endeavour's business priorities needed refining when at the same time it was considering closing its unfunded services it was spending $6.5 million on new corporate headquarters. The Beattie government recognises the crucial role Endeavour plays in helping people with a disability. I meet regularly with the new CEO of Endeavour, Mr Kelvin Spiller, and I commend him for the hard work he is doing in his role and for his cooperation with the government. My priority has been from the start, and remains, ensuring the welfare of clients affected by Endeavour's decision.

Mr WALLACE (Thuringowa—ALP) (5.50 p.m.): It gives me great pleasure to second the amendment moved by my colleague the Minister for Communities and Disability Services. Tonight the terms 'unfunded clients' and 'unfunded services' will be heard frequently in this debate. An unfunded client is a person with a disability who does not receive an individual package from Disability Services Queensland. As members might expect, an unfunded service is a service which does not receive DSQ funding. I want to take the opportunity to explain exactly how these terms relate to the current situation of the Endeavour Foundation.

But first a bit of background on Endeavour. The organisation dates back to the 1950s when it was first established as the Queensland Subnormal Children's Association. The original organisation was established by families in order to provide services that were not available from other organisations. Since that time, the Endeavour Foundation has grown into a multimillion-dollar not-for-profit organisation run by a board and a high-level CEO. For many years Endeavour operated its budget in surplus and had built up quite an amount of funds in reserve. I well recall as a child in the seventies and the eighties assisting with raffles and other fundraising enterprises in the town of Home Hill where the Endeavour Foundation ran the Clive William Taylor farm. It gave clients skills in growing mangoes, small crops and sugarcane.

In 1995 and 1996 Endeavour embarked on an expansion program and established a large number of residential and activity therapy support services in an attempt to address unmet needs amongst its target population. These new services rapidly became part of the funded services that Endeavour operates around Queensland. However, as people's needs changed, they began to move within the Endeavour range of services. Some of these people moved between funded services and unfunded services, so in expanding the line between funded and unfunded services became blurred. Unfortunately, many families and carers had no idea that the service they received from Endeavour was an unfunded service. I think we need to point out that, unfortunately, many of Endeavour's clients do not qualify for state government assistance packages. One-quarter of Queensland's population is classified as having a disability. DSQ must act within the strict framework to identify those Queenslanders in the most need of financial assistance. And, yes, due to decades of underfunding by an uncaring National Party government, the unmet needs are great in the state of Queensland.

Nevertheless, the Beattie government has made a commitment that no client affected by Endeavour's August decision will be left homeless or will lose their service. This strategy involves consultation with parents, families and carers of these clients—not cheap political stunts. We all agree that Endeavour's decision to close its unfunded services is regrettable. But we must look to improve the system, not to prop it up. That is why the government has asked Endeavour to put in place a solid five-year business plan.

Mr HORAN (Toowoomba South—NPA) (5.54 p.m.): Tonight's debate comes in the last sitting week of parliament before Christmas. This gives us an opportunity to recognise the wonderful work undertaken by Endeavour for decades. If it were not for the availability of Endeavour's accommodation and the services that it provides, I do not know what thousands of Queensland families would do. I do not know what literally almost every Queensland town would do. In my own town of Toowoomba, which is a major regional centre, I do not know what the town would have done without the magnificent services it has provided over a number of years—that is, approximately 14 residentials, a nursery, a farm and a large number of activity centres for people with severe disabilities to moderate disabilities. Families who lived in south-western Queensland and other parts of Queensland gravitated to regional cities like Toowoomba because it was the only way that they could cope with the disability that their child had—that is, to live near them and help them and nurture them through difficulties.

As I said, it is the last sitting week before Christmas. I do not want to see this debate degenerate into academic issues of funded or unfunded or what we did in the 1980s or did not do or what the Labor Party did or did not do in the 1990s. Tonight we have to concentrate on the fact that there are a number of desperate families who need care for their children. In many cases, these families are families who are getting on in years. They are finding it extremely difficult in their older years to look after their children who may be in supported accommodation and aged in their 20s or 30s or 40s and older. The parents are very worried about the future of these children. Tonight is an opportunity to look at this issue in terms of people rather than the straight and pure venom of politics.

We are proposing that when there is a surplus consideration be given to using a portion of that surplus to help this organisation with this little bit of extra money that is needed. I know there are many demands for extra funds—for health, roads and so on. But in the overall context of the many billions of dollars in our state budget and the surplus that was announced, we are asking that consideration be given to providing what I would term as a modest amount that would see Endeavour's services for these particular people maintained. Endeavour has gone through a rough time over the last decade or so. It goes back to the issue of poker machines. Endeavour used to be able to fund itself in its heyday, if you like, when bingo was flourishing and when its art unions were flourishing. We all supported things like the Endeavour rally, the various beauty contests and bar attendant contests that it held and so forth—all of the things that it has done over the years.

However, the introduction of poker machines in the nineties hit so many organisations that relied on fundraising hard. People looked for instant money through Keno, poker machines and so forth while the bingo halls of our state virtually collapsed. That was part of the reason. We have to be responsible in the provision of government funds. It is a sound idea to have a business plan to ensure that government money will be well spent, but we have to ensure that we look after the people, and that is what the National Party is calling for tonight.

I was going to speak about the farm in Toowoomba and the nursery in Toowoomba. My other colleagues from the downs will speak about those because I have run out of time. But I want to make this point in this debate tonight: the federal government is providing some funds for the transition period. The minister has been helpful to me. I went to see him personally and he wrote to Kay Patterson. He was very helpful in trying to assist us in that process. It is something that we have to work on together to look after these people and these families. All we are asking—and I want to keep it simple—is that we recognise what Endeavour has gone through and recognise the wonderful philosophies of all of its boards around the different regional centres, its volunteers and the staff who put in many hours of unpaid work. Let us look after these families. It is something that this state has to do.

Time expired.

Ms MALE (Glass House—ALP) (5.59 p.m.): I rise to support the amendment to the motion moved by the Minister for Communities. I am aware of the amount of concern that has been raised by the announcement that Endeavour will close its unfunded service on the Sunshine Coast. At the outset, it is important to recognise that the decision relating to the closure of the ATSS—the adult training and support services—was made by the Endeavour Foundation board. The Queensland government was certainly not a party to this decision.

I know that Minister Pitt and the member for Nicklin have had contact and have met a number of concerned families who have been worried about the future care and support of their family members. Many of these families have supported Endeavour for many years and had understood that their family members would be provided with lifelong support. Indeed, many families had placed their trust in Endeavour to be there when they died to ensure the long-term safety and security of their sons and daughters. It has obviously come as a major shock to many of these families to be told that Endeavour was no longer going to provide support to their family members, even though those families had been supporting Endeavour for all of those years. Many of those families had no idea that the service that their family member was receiving was termed an unfunded service and, therefore, targeted for closure.

This shock and disappointment that was felt by these families has been replaced in some families with a strong feeling that they want their family members supported in other arrangements. These arrangements will possibly be outside the scope of the Endeavour Foundation and different from the way in which Endeavour ran them in the past. I am aware of a number of families on the Sunshine Coast who have indicated this really strong desire to be away from Endeavour because their disappointment in the process to date has been so great. Those parents on the Sunshine Coast helped to establish Endeavour in that area. As far back as 1970 parents used to cut up newspapers with knives for shredding for sale to the pineapple growers. They organised fetes. They had many different raffles. They set up an op-shop at Warana in the 1996 and worked there as volunteers until as recently as last year. These people have been committed to ensuring that their family members had the best support that they could and provided additional funds to Endeavour to do so. These parents have worked very, very hard in very difficult circumstances because, as members would appreciate, when parents have a child with a disability the demands on their time are great, and for those parents to put in that support to Endeavour and raise additional funds was a huge commitment. But in return those parents really did

think that their children would be looked after by Endeavour. To put it mildly, they are extremely disappointed.

This government will ensure that these families will not have to face this sort of trauma again. This government will ensure that they have secure accommodation. I am assured that the department and the minister will continue to work with parents to meet the needs of their loved ones. The minister made a commitment that no Endeavour client would lose their day service and that they would not be left homeless as well. He will follow through on that. He is very committed to that, as is his department. I am very pleased to see that happening.

It should be remembered that, over the years, Endeavour Foundation—and particularly over the past four years—has said that it is not viable and has continued to ask for more money to make it viable. It has almost been a blackmail situation where Endeavour has said, 'You give us the $8 million'—or whatever the figure happened to be that particular year—'or we will close it and we will kick everyone out onto the street.' It has actually been quite disgraceful to watch. I do not actually believe that the management of Endeavour has been that great. It was structured like a pyramid. The previous CEO was at the top and earning a vast sum of money, yet there was not even a proper business plan in place to guide the Endeavour Foundation and make sure that it was viable and could continue to run. I am pleased to see the department is actually assisting Endeavour to put this business plan in place so that this money will not be spent wherever it has actually disappeared to. We heard the minister talk about the disgraceful case where Endeavour had this million dollar property that it felt was outside its needs. So Endeavour sold it for somewhere around $4 million and then proceeded to commit to $6.5 million for headquarters. That is a disgrace. There were people out there who had children with a disability and who were needing a service and the Endeavour Foundation was just throwing the money away.

I find it a bit rich for members of the National Party to be standing here and talking about the responsibility that we have and their support for people with a disability. In the past, that support from the National Party has not been there. I am glad to see that they have finally decided that they need to be supportive of those people and their families. I encourage them in that. It is interesting to note that the National Party members spend their whole time in here bashing us about needing to spend more money on capital works, but we also need to cut payroll tax, we need to cut the ambulance levy and we need to cut the other revenue coming into the government. Every time the National Party has something that it believes would probably be a good political stunt for the day, it wants us to put the money there. People with a disability are not political stunts. This amendment to the motion is about helping families in need, helping families who are sometimes in crisis and making sure that their loved ones are cared for and that a service is available.

Time expired.

Mr COPELAND (Cunningham—NPA) (6.04 p.m.): I rise to support the motion moved by the Leader of the Opposition and seconded by the member for Charters Towers. One of the most difficult parts of being a member of parliament is when a family comes to you in absolute crisis and dire need with one of their family members, or one of the people whom they are supporting and who has a disability, and trying to access help usually for that child or that sibling. That is a very, very difficult thing for us as members parliament to do, because it is so difficult to access assistance from this government and to access government services. Time and time and time again, particularly when I had the responsibility for the disabilities portfolio during the last term of the government, parents would come to me and say, 'The only way that I feel that I can get assistance from this government is to abandon my child on the steps of a government office and hand over responsibility for my child to the government.' It is simply not good enough for parents to feel that the only way they can access assistance from this state government is to abandon the child that they have with a disability. We should hang our heads in shame that we even make people feel like that. That is what is happening under the current government.

The Endeavour Foundation does fantastic work. There is no way in the world that the government can provide services for all of the clients of the Endeavour Foundation and other nonprofit non-government organisations that provide assistance in the disability sector. There is no way in the world that the state government would be able to step in and provide those services should these organisations exit that sector. We have to be cognisant of that fact when we debate this motion. We need to make sure that Endeavour is viable, we need to give it the assistance that it needs to ensure that it can continue to provide the services, both funded and unfunded, because an awful lot of people do not get any funding and do not qualify for DSQ support. The member for Thuringowa said that they are unfunded. But that does not mean that Endeavour should not be providing those services, because it is just as important that those people be able to access the support, the assistance and the services that Endeavour had been able to provide in the past.

Endeavour is going through a difficult time. I feel for the people who are involved with Endeavour, because they are trying to do the right thing. I do not think that it does us any good at all to be criticising the management of Endeavour, because it has the best of intentions and it is trying to provide a service that the government does not. We need to make sure that Endeavour is assisted at this time.

The minister has said that those clients of residential services provided by Endeavour will be looked after and placed in other facilities that have vacancies. The difficulty is that there are very, very few vacancies. So many people are waiting for care and accommodation from the government. There are far more people on the waiting list than there are services available. When we start to see the services provided by Endeavour close down, that will only exacerbate the situation.

I would like to touch briefly on the two services that Endeavour provided in my electorate, the Endeavour nursery and the Endeavour farm. They are only an example of the sorts of invaluable services that Endeavour provided. As the member for Toowoomba South said—and although the facility was situated in my electorate, the member would know of it because it serviced all of Toowoomba and the south-west and such facilities are replicated in other cities across Queensland—the experience, the work opportunities and the skills that the clients of Endeavour were able to access through their work at those two properties was fantastic. I have had a stream of families coming to me since the announcement was made that they were going to close. It is difficult for those families.

Mr Pitt interjected.

Mr COPELAND: The member for Groom, Mr Ian Macfarlane, has assisted. It just goes to prove the difficulties of accessing finance from a range of different levels of government, whether it is state or federal, and the crossover of responsibility and the crossover of the provision of services. It is not good enough for the state government—or for the federal government, for that matter—to simply say, 'No, that is a federal government responsibility,' or 'No, that is a state government responsibility' because there is a crossover of responsibility. The same people access all of those services. It is not good enough for us to be washing our hands of them and blaming someone else. We need to have a concerted, coordinated effort from all levels of government to make sure that these sorts of services are provided because they are so important to the families. We need to remember that those families are struggling.

Time expired.

Hon. J. FOURAS (Ashgrove—ALP) (6.09 p.m.): Earlier in this debate the Leader of the Opposition accused the Beattie government of being indifferent and neglectful and of turning indifference and neglect into an art form. We also heard the opposition spokesman say that there is a need to fund unmet needs. I well remember that when the Borbidge government was elected it made a promise to fund unmet needs. In its first funding round $37.6 million was applied for and $1.7 million was provided. In the next year there was no funding round at all. That was its commitment to funding unmet need.

There is no doubt that the Beattie Labor government is the first government in the history of this state to fund disability services in a proper way. Since the Beattie government came to power in 1998 a total of approximately $220 million has been added to state funding for disability services in Queensland—an extra $220 million. Funding has been increased from $125.14 million in 1997-98 to $345.08 million in 2004-05.

I place on the public record my support for the actions this government is taking with regard to Endeavour. We as a government have responsibilities to make sure that, in terms of the dollars we spend on disability and other services, we get the best bounce for our buck. I also place on record my appreciation of the efforts of the Minister for Disability Services in relation to this issue.

As the minister said, it was the Endeavour board's decision to cease services to Endeavour's unfunded clients. The government did not make this decision; the Endeavour board did. I repeat: it was the Endeavour board's decision to cease services to Endeavour's unfunded clients. Immediately after learning about the board's decision to cut services to unfunded clients, the Minister for Disability Services made a commitment that no existing Endeavour client would be left without a roof over their heads or be without a day service as a result of these closures. It was a fair dinkum commitment. Reports that the Queensland government has cut funding to Endeavour are simply not true. The minister, in a bid to calm any anxiety faced by families about Endeavour closures, wrote an open letter to Endeavour clients and families which appeared in the *Courier-Mail*. It states—

I accept this process may cause anxiety to some clients, their parents, families and carers. To minimise this stressful situation, I approved temporary payment to Endeavour from 1 October 2004 to allow for the ongoing operation of the fourteen facilities during this transition phase. This will ensure that client needs assessments and consultations with parents, families and carers can occur in an ordered, responsible manner and are not rushed simply to meet a deadline.

The government has continued to fund Endeavour. As stated previously, the Beattie government has made a total commitment of funding to the Endeavour Foundation of over $40 million for 2004-05. This is an increase of nearly $8 million on the last financial year. As a member of parliament I recognise the work that the Endeavour Foundation does in caring for people with a disability. My brother-in-law Costa attended such a day care service. However, there are many other groups out there in the community that are also doing valuable work.

I do not think the general public would think that an increase of funds to the Endeavour Foundation of $8 million is something to complain about. I am aware of Hands On, an off-shoot of what used to be the Wattle League. It is now running disability services. It received $3.9 million last year for

40 places for independent living for people with intellectual disabilities. Not only do they get supported accommodation; they also get training to get them into the work force and they get case management. They become part of the community, building up the social capital that is so vital and building up trust and the underlying norms and values that are so important in our society. That is what that sort of funding does.

The government has never shirked its responsibility. Rather than accepting the Endeavour board's decision to cease unfunded services, the government is continually working with Endeavour to ensure that no client is disadvantaged. I commend Minister Pitt for his handling of this situation and for the concern he has shown not only for the clients but also for the families.

The member for Cunningham said that there is no need to criticise the management of Endeavour. What government would take that position? Is selling premises for $3 million and replacing them with $6.5 million headquarters good management? We have a responsibility to get the best bounce for the bucks we put into disability services.

Time expired.

Mr HOPPER (Darling Downs—NPA) (6.14 p.m.): One of the sites Endeavour operates is in Toowoomba. I know that it has been mentioned before, but I would like to speak a little about the Endeavour farm and nursery, which has been established for many years and has provided employment, vocational and work experience as well as structures, premises and organisations for the disabled. Without these facilities clients will be denied what Endeavour has worked so hard to provide—that is, self-esteem, self-worth, learned skills and a sense of belonging.

This closure will impact upon affected families in a financial, physical and emotional way. I ask members to recognise that these people, who are losing their home, their house mates and their job, have been robbed of any choice about their future accommodation and lifestyle options. Many of these clients were previously employed by community based organisations and businesses. However, these groups will now be forced to employ paid employees who do not require supervision. This was an initiative that worked very well for all of the concerned parties.

There is a great void in respect of the services provided for the disabled aged between 14 and adulthood. We all have to recognise this. I do know how hard it is to place these people. Endeavour was filling this gap very effectively. Endeavour addressed its clients' right to be gainfully employed, treated with great dignity, taught social skills and learn new skills.

Endeavour is currently the largest service provider, and waiting lists for funding remain extreme. An estimated 6,000 people with a disability are in need of accommodation and care. All of the unfunded services are in south-east Queensland. Will a person be relocated to Cairns if that is where the only funded vacancy is? Or will they be provided with genuine accommodation options, as the minister has indicated in the past?

No family with a disabled child, whatever that disability may be, wants that child warehoused away from everyday life, especially if they are physically able to perform some type of manual labour, albeit supervised, and empowered to gain from it. Today I shared with the minister about a disabled child in my electorate. I thank him for the time he spent talking with me about that.

The wider community also gains many benefits from this type of facility. Money should not be an issue for these children and adults. Lifestyle quality, learning and being part of the community are what it is all about.

Many have questioned the cost of the decision to not allocate Endeavour an initial $3.1 million, given that it will probably cost the government a considerable amount more to provide these services. The Productivity Commission estimates that it could cost the Queensland government $92,000 per placement and a nonprofit organisation $38,000.

Are these clients going to be guaranteed permanent recurrent funding as a result of this decision? Recurrent funding is something that they have never had from the government. The costs were previously absorbed by Endeavour. No other service provider will accept them without guarantee.

The issue here is not the financial viability of Endeavour. If the government had fulfilled its responsibility and funded these placements, it is doubtful that Endeavour would find itself in the financial situation it does today. Endeavour and other service providers have been left to absorb the responsibility of this government for many years, particularly since deinstitutionalisation, often to their own financial detriment.

According to DSQ's funding reform paper in 2003, over one-third of disabled people under the age of 65—that is an estimated 84,300 people—stated that their needs for support were only partly met and three per cent, or 7,600 people, stated that their need was not met at all. An estimated 1,600 persons with severe core activity restriction received no support at all. An estimated 8.5 per cent of disabled people—3,700—with severe core activity restriction requiring assistance for self-care received no support at all. Many people received only one-off support funding or were placed on a waiting list. For example, in 2003-04 108 clients received recurrent funding under the adult lifestyle support program.

One hundred and seventy clients received non-recurrent funding under the program and 215 high priority clients were refused funding.

The Endeavour Foundation is a Queensland based not-for-profit organisation devoted to providing independence to people with intellectual disabilities, supporting more than 3,000 people. Endeavour operates over 220 sites including 80 residential accommodation services, 39 day services, 31 business services and 40 retail stores.

Mr TERRY SULLIVAN (Stafford—ALP) (6.20 p.m.): As my honourable colleagues have mentioned, the Endeavour Foundation started out as a small organisation run by parents of children with a disability. Today it is a multimillion-dollar nonprofit organisation led by a board and run by a high-level CEO. With that expansion has come some significant financial challenges. In fact, Mr Horan referred to its financial difficulties over the past decade.

The Queensland government has been working with Endeavour to address those challenges. We have allocated significant budget increases to Endeavour over the past few years, in total contrast to some statements made by members opposite during this debate. In fact, since 2000-01, state government funding to Endeavour has more than doubled. In 2000-01 Endeavour received $18.321 million from the Queensland government. This included $2.5 million in non-recurrent funds provided in response to financial difficulties that Endeavour had raised with the government. This was followed in 2001-02 with a further injection of $4.5 million in non-recurrent funds.

In 2002-03 an amount of $5 million in recurrent funds and, importantly, $1 million in non-recurrent funds was allocated to Endeavour for its viability issues. Again, in 2003-04 a further allocation of $8 million in recurrent funds was provided. Endeavour was successful in 2004-05 following an independent financial assessment of the organisation in receiving an additional $4.7 million in recurrent funds.

The Endeavour Foundation has received the lion's share of viability funding for several years. There are other organisations within the disabilities sector which feel this funding to Endeavour is to the detriment of other equally deserving organisations. What the Endeavour Foundation needs is a rationalisation of its services and assets and a solid, five-year business plan, as do other groups within the disabilities sector. This is the only thing that will secure the future of the Endeavour Foundation.

Mr Choi interjected.

Mr TERRY SULLIVAN: Yes. The Queensland government is working with the foundation to ensure that this happens. In the meantime, this government has guaranteed that no client affected by Endeavour's decisions to cut unfunded services will be left without a home or would lose their service. In addition, approval was given in 2004-05 to provide Endeavour with up to $2.69 million in non-recurrent funds to assist with fire safety legislation requirements under the Building and Other Legislation Act implementation process. This will bring the Queensland government's funding to Endeavour to over $40 million for the current year.

They are some of the facts regarding this government's commitment to funding for Endeavour. It is the absolute height of hypocrisy for National Party members opposite to stand in this House and criticise the government for its level of disability funding. This is the National Party government that for 30 years has almost totally ignored the disability sector.

Mr Malone interjected.

Mr TERRY SULLIVAN: I will come to more recent funding in a short time, and the member for Mirani will see how he failed even when some of his colleagues to the right were ministers. The members opposite are one of the best funded and laziest oppositions we have had. Where have their questions been on disability services over the last five years? They have been noticeable by their absence. The only time they raise an issue is when parents of children with a disability do the hard work, get the figures and write to them. That is the only time the opposition gets up and talks about disability services. It is too lazy to get out there and do the work itself, and it makes parents, on top of serving their children, fight for their position in here. It is a disgrace.

Federally, their colleagues have also cut disability services. When Judy Spence was the minister, one decision by their federal colleagues put $21 million of services back on to the state. They are a disgrace. When Rob Borbidge was Premier and some of the members opposite were ministers, the coalition allocated $125.15 million to disability services. In five years the Beattie government doubled it, and in six years it will almost treble it. Members opposite have to learn that they have to work; they cannot just assume that they know what they are going to do.

It was Minister Bligh who, as the then shadow minister, went to Perth and spoke to people who had some of the best services. She came back and under Premier Beattie established a separate ministry for disability services. What did those opposite do? They did not direct questions to the ministers and they did not do the work. They are the best funded and laziest opposition. They deserve to be condemned and the people of Queensland will condemn them.

Time expired.

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

AYES, 54—Attwood, Barry, Beattie, Boyle, Briskey, Choi, E.Clark, L.Clark, Croft, Cummins, N.Cunningham, Fenlon, Finn, Fouras, Fraser, Hayward, Hoolihan, Jarratt, Keech, Lavarch, Lawlor, Livingstone, Lucas, Mackenroth, Male, McNamara, Mickel, Miller, Molloy, Mulherin, Nelson-Carr, Nolan, Nuttall, O'Brien, Palaszczuk, Pearce, Pitt, Poole, Purcell, Reilly, Reynolds, N.Roberts, Scott, Smith, Spence, Stone, C.Sullivan, Wallace, Welford, Wellington, Wells, Wilson. Tellers: T.Sullivan, Reeves

NOES, 24—Copeland, E.Cunningham, Flegg, Foley, Hobbs, Horan, Johnson, Knuth, Langbroek, Lee Long, Lingard, McArdle, Menkens, Messenger, Pratt, Quinn, E.Roberts, Rowell, Seeney, Simpson, Springborg, Stuckey. Tellers: Hopper, Malone

Resolved in the **affirmative**.

Motion, as amended, agreed to.

ADJOURNMENT

Hon. T.M. MACKENROTH (Chatsworth—ALP) (Deputy Premier, Treasurer and Minister for Sport) (6.31 p.m.): I move—

That the House do now adjourn.

Psychiatric Nurses

Mr HORAN (Toowoomba South—NPA) (6.31 p.m.): Tonight I want to speak about the issue of serious discrimination against experienced psychiatric nurses. I asked a question on notice of the Minister for Health regarding the provision of a qualification allowance to those nurses who have obtained extra non-university qualifications. In his reply, he advised me of the allowance that had been granted to those nurses, for example, who had obtained their midwifery certificates, various diplomas or other non-university additional qualifications.

One glaring omission is the psychiatric nurses who went through a very special and unique training system. Under the old system, before the days of nurses training at universities, most nurses went through a hospital based training system. They did their three years of training in the hospitals and became registered as general nurses. The allowance that the minister referred to applies, for example, to nurses who then went on to get their midwifery certificates.

At that time there was a very special course run at both Baillie Henderson Hospital in Toowoomba and the Wolston Park Hospital in Brisbane, both of which are psychiatric hospitals. That was a three-year course for psychiatric nursing. Graduates from that course were general nurses with specialist psychiatric qualifications. It was quite a different and unique type of course.

Today, many of those nurses in our psychiatric hospitals hold positions with high levels of responsibility. They are very experienced and are a very important part of the system. They have missed out totally on this qualification allowance because of the unique system that they went through.

In fact, the Queensland Nurses Council actually recognises those nurses and indicates on the nurses' registration form that the psychiatric nurse, irrespective of their training background, is declared a registered nurse with psychiatric endorsement. In other words, they are a general nurse with specialised three-year training in the area of psychiatric nursing. We are going to see some very serious anomalies where people are working in the same ward and those who have a higher responsibility, that is, these psychiatric trained nurses, are being paid less money than someone who is less experienced but has a university based nursing degree and receives the allowances that go with that particular degree.

I ask that, when he is considering the decisions that are to be made on the issue of non-university qualifications and the qualifications allowance that flowed on from the award negotiations, the Minister for Health fixes up this anomaly. We want to see equal pay for equal work and the wonderful training and responsibility of these psychiatric nurses rewarded.

Keppel Electorate, Secondary Schools

Mr HOOLIHAN (Keppel—ALP) (6.35 p.m.): Tonight I rise in the adjournment debate to bring to the notice of this House some of the glories that come out of large schools and their graduation ceremonies. In my electorate I have the good fortune to have four large high schools, and there are another two just outside my electorate. I have attended the graduation ceremonies for each one of those schools when I have been able. St Ursula's and St Brendan's schools both have a large population that comes from outside Keppel, but they are a showcase for our area and my electorate.

One of the things that comes through with every one of those schools is the joy that those young adults have in the graduation ceremony and also in graduating generally. It gives them an opportunity not only to showcase their school but also to show the outside world what great citizens these schools are turning out. They really are the future of our communities.

Each one of the schools that I have attended has had large concert bands. They do not only follow educational pursuits. They employ people who are highly qualified and who really enjoy educating

kids in some of the finer arts such as acting and music, or other things such as chess. All of this makes the students very rounded citizens and hopefully they will become great citizens in the future of our state.

Often young people get knocked for some of the antics that happen at schoolies week. I left my electorate on Sunday, but prior to leaving I helped with breakfast for the schoolies at Yeppoon's main beach. All of the young people who came there to have breakfast were there just to enjoy themselves. They were not there to upset anyone in the community.

Mrs Carryn Sullivan interjected.

Mr HOOLIHAN: I did not cook the sausages; I cut up the tomatoes. They came along. They are enjoying their freedom and they will go on to follow a trade, attend university or go to work to fund a family. Many of the media outlets in our state and our nation knock our youth. They have criticised our youth, but those young adults are our future.

To all of the teachers from the schools within my electorate and all of those graduating from high schools this year, I say congratulations on turning out some great citizens. Over the next couple of years I look forward to seeing the children who are still in the system pass out and become citizens for our future.

Tenants, Termination of Leases

Mr WELLINGTON (Nicklin—Ind) (6.40 p.m.): Everyone has a story to tell about the neighbours from hell, especially if the neighbour is a tenant and the landlord is not prepared to take any action to evict them.

While the majority of home owners and tenants in our state are solid, law-abiding citizens, no suburb or community is exempt from this minority—be it Brisbane, the Gold Coast, the Sunshine Coast or wherever. No matter how much trouble and expense we go to to achieve a safe and comfortable haven for our families, one neighbour from hell can destroy it all.

Many people suffering at the hands of an irresponsible neighbour find that their own hands are tied in resolving this issue either because the legal system does not provide a speedy method to resolve the dispute or simply because it is less stressful for them just to sell up and move elsewhere. People should not have to feel intimidated to the point that they are forced to leave their once safe and secure residence simply because no-one is able or willing to take action to remove a tenant who harasses, intimidates, abuses or threatens his neighbours.

On the Sunshine Coast, rental accommodation and public housing is at a premium. There are lengthy waiting lists for affordable accommodation. There is no reason why 'objectionable' tenants should have to be tolerated by law-abiding neighbours when so many good tenants are desperate to secure affordable rental accommodation.

In the new year I plan to introduce an amendment to the Residential Tenancies Act which will give people the power to take those neighbours from hell to court for an order to terminate their tenancy agreement. The amendment would enable a person occupying a premises near a tenant whose behaviour is considered to be objectionable to apply to the tribunal for a termination order because the tenant has harassed, intimidated or verbally abused the applicant. This amendment will specifically apply to tenants in premises where the landlord is not prepared to take action to evict them because of their offensive or objectionable behaviour.

This amendment simply extends the existing class of people who can apply to the tribunal for an order to terminate the tenant's lease and have a warrant of possession issued to authorise the police to enter and take possession of the premises.

I now table a copy of my proposed amendment to the Residential Tenancies Act for public comment. I will report back to the House in the new year. I look forward to returning to the chamber to inform members of the level of support for my amendment which deals with neighbours from hell that we should not have to put up with.

Australian Wheelchair Dance Academy

Mrs CARRYN SULLIVAN (Pumicestone—ALP) (6.41 p.m.): Earlier this year I had the pleasure of attending a presentation supper dance organized by Mrs Lynette Brothwell, who is trained in wheelchair dancing, from the Australian Wheelchair Dance Academy. I was introduced to a number of local 'debutante' senior citizens from the Bribie Island Retirement Village whose mobility was restricted to a wheelchair—at least I thought it was restricted. That night at the Bribie Island RSL, I and many other guests were mesmerised by the ability of the carers to manipulate the wheelchairs in a series of dance movements to the accompaniment of several background pieces of music.

What an entertaining evening, and, judging by the expressions on the faces of the participants and the carers, they all had a great time. Certainly most of us who attended the social event had not

seen wheelchair dancing before. We discovered that there are no barriers to involvement, either through age or through degree of disability.

The Australian Wheelchair Dance Academy, or AWDA, offers an enjoyable recreational activity for all wheelchair users. It was established in 1994 in South Australia and relocated to the Gold Coast in 1995. Within that time period, the AWDA has taught close to 400 people on a monthly basis.

Lynette and her husband, Darren, are the driving force behind AWDA and Lynette is recognised as a trainer of instructors. Corrie van Hugten, the world founder, has invited Lynette to attend a competition in Malta in December this year and to further upgrade her qualifications. She has accepted the invitation. I take this opportunity to wish her well in her endeavours. I look forward to some feedback from her upon her return.

The first international wheelchair dance sport competition took place in 1997 in Sweden. The first world championships were held in Japan in 1998. Also in 1998, the sport became an official International Paralympic Committee championship sport. It is governed by the International Paralympic Wheelchair Dance Sport Committee, or IPWDSC, and follows the modified rules of the International Dance Sport Federation, or IDSF, and is widely practised by athletes in 19 countries.

Aside from helping to integrate disability and dancing, wheelchair dance is a sport which provides its participants with inspiration as well as health benefits. Wheelchair users have reported feeling more confident and able-bodied and some have even reported needing less physical therapy due to their workout during practice and performances.

Lynette Brothwell presented me with a framed poem after the supper dance which reflects the mood of the evening and I would like to share it with members tonight. It states—

May the poor find wealth, those weak with sorrow find serenity, may the forlorn find hope, constant happiness and prosperity.

May the frightened cease to be afraid, and those bound be free. May the weak find power, and may their heads join in harmony.

Racing Industry; UNiTAB

Mr HOPPER (Darling Downs—NPA) (6.43 p.m.): Tonight I want to address conflicts of interest between the board of UNiTAB and Queensland Racing. On the board of UNiTAB we have individuals such as 'Top Level' Terry's little mate and bagman Wayne Myers, who is head of the Major Sports Facilities Authority. This is the body that the Beattie government proposes should take over both the Eagle Farm and Doomben racecourses if the QTC and BTC do not totally agree with the current plans to restructure Brisbane racing. Myers is a notorious ALP supporter, whose business interests have been continually advanced through ensuring that ALP ministers have the best seats at all functions at major sport facilities. The entertainment bills for such activities are hidden in the murky accounts of MSFA.

Then we have another ALP bagman in John Bird, the husband of a former ALP member of parliament and former state treasurer of the ALP. No doubt he gives appropriate consideration to the interests of his ALP mates who appointed him to the TAB before privatisation and who have ensured his appointment to many other boards.

Then, of course, yet again we have Bob Bentley, the man who is supposed to represent the interests of the racing industry against the interests of the shareholders of UNiTAB. Bentley has been freely identified as a mate of 'Hollywood' Bob Gibbs, who was engineered into his current position by Merri Rose and who is currently protected by Minister Schwarten. Bentley is the man whose reputation for honest dealing as both a breeder and promoter of racing incentive schemes is under real question in the racing industry. When it comes to making decisions as a member of the board of Queensland Racing, whose interests does Bentley consider? His own, Queensland Racing or UNiTAB? After all, as a director of UNiTAB, he earns more money and has the potential to earn more money than he does from board membership of Queensland Racing. This conflict of interest is both potential and real. Remember, it was Bentley who drove the reduction in the number of Queensland race clubs being allowed to conduct TAB racing, thus benefiting the interests of UNiTAB as opposed to those of racing industry participants. Again it was Bentley who redirected race meetings with TAB coverage away from the QTC, in accordance with the class warfare attitudes of his mentor, Bob Gibbs, and gave them to other race clubs.

Bentley's position contrasts strongly with that of Nerolie Withnall, who was driven from the position of inaugural chair of Queensland Racing by then Minister Rose and her henchman, Bob Mason. Remember business identity Steven Lonie? He was also forced to resign from the board of Queensland Racing for alleged conflicts of interest following a CMC inquiry. Bentley has arguably been abusing his position with Queensland Racing to facilitate the economic interests of himself and his Labor mates on the board of UNiTAB to the detriment of Queensland's racing industry generally and particularly those clubs that the ALP is out to get.

Let us see if the Daubney-Rafter inquiry is prepared to go beneath the surface and examine who really benefits from the privatisation of the Queensland TAB and from appointments to its board. This will prove whether its investigations and decision making really are independent.

Electorate Exchange Program

Mr FINN (Yeerongpilly—ALP) (6.46 p.m.): Tonight I inform the House of an electorate exchange program that I recently participated in with Alistair Harkness, the member of parliament for Frankston in Victoria. This program was designed by Alistair and me and undertaken at our expense as an information sharing and professional development exercise. There are limited opportunities for professional development for members of parliament, and whilst we may get opportunities to meet people from a range of backgrounds this usually occurs within our own electorates or in meeting rooms within the parliament.

The electorate exchange program was an opportunity to visit public and private organisations to see first-hand how they operate and to be briefed on the strengths and weaknesses of their structure and management. Meetings with departmental officers, businesspeople, community groups, service providers and clients provided me with opportunities to hear a range of views and experiences. Issues of importance to my electorate, including education services, transport infrastructure, affordable housing and health care are important, similarly, to the people of Frankston. The two electorates are similar in a socio-demographic range, along with the number of families and aged people in those electorates.

Over the course of four days I visited the East Karingal kindergarten; a new Brotherhood of St Lawrence property with a cutting-edge organisational structure for service delivery across cultural differences; the Karingal Heights primary school, which included addressing the school assembly about our great state; the Frankston police station and courthouse; the Frankston Hospital; an aged and palliative care facility; the Karingal bowling club; the Frankston coast guard; the fisheries unit at the Department of Primary Industries in Mornington; and the Peninsula Aero Club.

I also had an opportunity to meet with two vignerons, Simon Napthine of Tucks Ridge and John Mitchell of Montalto, who is also chairman of Tourism Victoria's Mornington Peninsula marketing campaign and a member of the Wineries and Tourism Council. Both Simon and John provided detailed advice about how the Mornington Peninsula had developed its wine industry and the link between tourism and the cellar door. Their enthusiasm and commitment to the industry and the region did not limit their frankness when talking about the pitfalls for developing wine regions and the business imperatives underpinning the successful producer. I thank all of the people who took the time to meet with me during the exchange and the local media that covered the event. The program also included a day in the Victorian parliament, meeting with other MPs and staff, and observing the procedures of the parliament. I thank Liza McDonald for showing me around and particularly for taking me on a special visit to Felicity's room.

The idea of electorate exchange programs is not new and members may be aware of the exchange undertaken by Christian Zahra and Nicola Roxon in early 2001. I encourage other members to undertake similar exchanges. Next year Alistair will come to Brisbane to complete the exchange program. I look forward to introducing him to local people and service providers and showing him world's best practice in my electorate of Yeerongpilly.

Death of Cr S. Robbins

Mrs STUCKEY (Currumbin—Lib) (6.49 p.m.): I stand in this House this evening to pay tribute to one of the strongest willed, passionate and forthright councillors the Gold Coast has ever encountered. I speak, of course, of Councillor Sue Robbins, who died suddenly on the morning of Saturday, 13 November. Sue suffered a fatal heart attack at her home in the Tallebudgera Valley after an early morning walk. Despite attempts by her husband to revive her for some 45 minutes, she did not regain consciousness. As the news filtered through the Gold Coast community there was at first disbelief, then shock followed by raw and openly expressed grief. At only 48 years of age Sue had a lot of living left to do, goals to achieve and new horizons to explore.

Councillor Robbins began her local government career in 1994 when she was elected to the Albert Shire Council. When the Albert shire and the Gold Coast council were amalgamated in 1997, Sue was elected as the councillor for the southernmost division 14. This division takes in a large part of the Currumbin electorate from Coolangatta in the south, Currumbin in the north and up into the beautiful Currumbin and Tallebudgera valleys.

For several years Sue chaired the council's planning and development committee for the southern Gold Coast which resulted in her gaining a reputation as a powerful advocate for family sensitive suburban developments. She has been described as meticulous, thorough and tough when dealing with developers who believed they could fool her with industry jargon. In short, Sue displayed a keen, well-informed interest in development. ‘Seize the day’ could well have been her motto as she seized every opportunity to put forward her case for her division.

Over the years our paths crossed on many occasions and whilst we did not always agree on every issue I developed a healthy respect for her dedication and unswerving commitment to improving her division. On a personal note, I shall really miss Sue's pragmatic advice on handling interrelated council and state government issues in the electorate.

The beaches in division 14 draw both locals and visitors to them in droves offering spectacular views and easy access. One of Sue Robbins' many legacies, and one that will be there for generations to enjoy, is the seaside boardwalks from Coolangatta to Kirra Point and on to Currumbin. Sue Robbins was also dogged in her pursuit of the Tugun bypass over many years. She supported the C4 western route. The people of division 14 will, I am sure, mourn her loss for a long time.

Sherwood Respite Centre

Mrs ATTWOOD (Mount Ommaney—ALP) (6.52 p.m.): The Sherwood Respite Centre, located in Thellon Street, Sherwood, provides day respite for aged and frail people and their carers. It is funded by the Home and Community Care program and can cater for a clientele of 28 people per day. Some attend several times per week and others attend only one day per week. During the last financial year the service welcomed 45 new clients to the centre.

The Sherwood Respite Centre has a number of stimulating activities. They include outings to RSL clubs and popular south-east Queensland tourist destinations such as Toowoomba's Carnival of Flowers and the Roma Street Parkland. Guest speakers are invited on a regular basis to talk on a diverse range of topics including proper diets, Centrelink information, various health topics and government services. Other programs conducted by the centre include the responsive respite options project for younger people with a disability, the holiday program which provides six trips annually for clients and the knitting project. Other services including Tai Chi, podiatry, hairdressing and carer support groups are available to cater for patients and their carers.

Recently the centre purchased a large plasma screen television with cordless headsets. This was made possible through funding from the Gambling Community Benefit Fund. People with hearing and vision impairments find the large screen and the improved sound system particularly beneficial. This centre has received a large number of grants through the Gambling Community Benefit Fund all aimed at making their clients' life a little bit more comfortable.

The cost of a day at the Sherwood Respite Centre is $8. This includes transport to and from the client's home, freshly baked morning tea and a hot healthy lunch as well as the cost of the outing. The centre is only able to provide such a great service to their clientele with the assistance of a number of committed and dedicated volunteers—namely, George Bogoyevitch, Lorraine Simpson, Sue Jayne, Janet Galea, Graeme Wynn, Ann Robson, Helen Gooderidge, Sue Smith and Maria Bell. These volunteers support the service by assisting on the bus runs, doing the laundry, doing kitchen activities, helping with trips away and outings, completing administration work and maintaining the garden. Rebecca Richardson coordinates the volunteer roster and training program.

Yolanda Parker is the coordinator for the centre and her staff have been working on a quality action plan to enhance existing quality improvement processes. Staff at the Sherwood Respite Centre are also undergoing self-assessment against the HACC national service standards. This involves having the institute for health communities audit the documents, spend a day at the centre and then advise how it is performing against the HACC national standards. I congratulate the centre for its ongoing achievements.

Burdekin River Catchment

Mrs MENKENS (Burdekin—NPA) (6.55 p.m.): I rise to speak about a very serious issue that has the potential to devastate the native fish population in the Burdekin River Catchment—that is, the imminent spread of the noxious fish species tilapia. I was contacted lasted week by the chairman of the Burdekin Fish Restocking Association, Mr Scott Abraham, who has raised the alarm. He was advised by a biologist from James Cook University that tilapia had been found in Keelbottom Creek, a tributary of the Burdekin River.

This has been confirmed by officers from the Department of Primary Industries and Fisheries. I have been told by the department that initially 48 fish of different sizes had been caught, indicating that the outbreak has been there for two years. I understand investigations were proceeding last week as to how far the fish had spread. If the species are still contained within the lagoons in Keelbottom Creek, it may be possible to eradicate them with the fish poison Rotenone.

Tilapia is an introduced species from Mozambique. It was introduced into fish tanks. They are a mouth-breathing fish colloquially known as rats with fins. Tilapia eat insects, plankton and some weeds and they breed like rabbits. They displace native fish and are aggressive which means that they will stress native fish. This will affect the breeding and feeding of the native species to a point where native fish populations will greatly suffer.

The Burdekin River has one of the largest catchments in Queensland. If left until the wet season, these fish have the potential to spread right down through the Burdekin delta, the Bowen broken rivers and the Suttor and Belyando river systems. To quote Mr Abraham—

This is terrible news for the Burdekin River. In Emerald they found citrus canker, which would damage the citrus industry and the government has more than 140 staff tackling this.

Tilapia has the same potential for damage to the native fish population as citrus canker does to that industry. The government does have a responsibility to act, and to act now, to try to ensure that this species does not spread. We need to act while there may be a chance to eradicate this outbreak. I understand that the department has known about this problem for some months but has remained very quiet about the issue. I have written to the minister on this issue and I implore him to act immediately to provide the resources and funding necessary to eradicate this species.

Southside Icons

Mr REEVES (Mansfield—ALP) (6.57 p.m.): It gives me great pleasure to talk about three icons on the south side of Brisbane, the first being Senior Sergeant Ray De Bruyn. Today is a sad day for the south side as today is Senior Sergeant Ray De Bruyn's last day. He has played a major role in neighbourhood watches throughout Queensland, particularly on the south side. He is the public face. Whether it was a school fete, Neighbourhood Watch meeting or other community event, there was Senior Sergeant Ray De Bruyn.

Senior Sergeant Ray De Bruyn was appointed a probationer on 17 August 1964 and was sworn into the Queensland Police Service on 15 December 1964. He has served at a variety of police establishments including the Brisbane traffic branch, Juvenile Aid Bureau, transport section, public relations branch and the Upper Mount Gravatt station. Senior Sergeant De Bruyn was appointed a first class constable in 1974, a senior constable in 1977, a third class sergeant in 1979, a second class sergeant in 1980, a first class sergeant in 1983 and achieved his current rank of senior sergeant in June 1988. On 8 December 1970, whilst a constable at the Brisbane traffic branch, Senior Sergeant Ray De Bruyn was shot in the back of the neck in an incident at Murarrie. Due to his injuries, he was unable to return to work until April 1972. The bullet still remains with him today. The offender was subsequently charged with attempted murder and was sentenced in March 1971 to 15 years imprisonment.

Senior Sergeant Ray De Bruyn has been involved with Neighbourhood Watch since its introduction in Queensland in 1988. He was involved in the launch of numerous Neighbourhood Watch groups, including the first Neighbourhood Watch at the Isle of Capri on the Gold Coast. He also attended the first Neighbourhood Watch launch in the South Brisbane police district at Morningside in July 1989. Senior Sergeant Ray De Bruyn has been a tireless supporter of the Neighbourhood Watch programs in the South Brisbane police district, regularly attending meetings and providing lectures and assisting members. Senior Sergeant De Bruyn has received numerous letters and certificates of appreciation throughout his career as a result of the valuable work he has undertaken. There will be a breakfast on behalf of the south Brisbane Neighbourhood Watch group on Saturday to celebrate. Above all of this, Ray is a great bloke and we will miss him in the local community.

Another great icon on the south side is Southside Community Care, which celebrated 25 years recently. It has improved the quality of life of many homeless families in our local community. In any given year, Southside supports up to 35 families, including up to 150 kids, by providing short-term accommodation. Last month Southside celebrated its 25th birthday with a function for past and present clients and volunteers. It was a great opportunity to thank everyone. Families in our area should be reassured in the knowledge that there is a long-established community organisation that can lend a hand. I particularly want to thank John Geran and Bob Green, life members of the association. Bob Green is the present president and I am the vice-president. I also particularly want to thank Kay, Di and Mary, the great staff of Southside Community Care.

Finally, I want to congratulate Hotel Chaplaincy, led by Andy Gourley, which is doing a great job down at schoolies. Andy is from the Citipointe Church in Mansfield and does a magnificent job. It was great that I could lobby the Premier and the Minister for Communities to get the $30,000 to assist them for schoolies not only on the Gold Coast but throughout Queensland. I commend those three icons of the south side.

Motion agreed to.

The House adjourned at 7.00 p.m.

GOVERNMENT PRINTER, QUEENSLAND—2004