



WEEKLY HANSARD

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51ST PARLIAMENT

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FRIDAY, 2 DECEMBER 2005

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

STANDING ORDERS 259 AND 260

Mr SPEAKER: On 24 November 2005 the member for Thuringowa wrote to me drawing my attention to the debate on the Sugar Industry Amendment Bill on Wednesday 23 and Thursday 24 November 2005 and the provisions of standing orders 259 and 260.

Standing order 259 prevents a member from voting in a division on any question in which the member has a direct pecuniary interest not held in common. The circumstances in which standing order 259 will apply are very restricted, unlikely to arise and can never arise as an issue of public policy.

Standing order 260 places an obligation on members to declare their pecuniary interest in debate on any question in which they have 'any pecuniary interest' whether or not the matter relates to public policy. However, the interest held by the member must be greater than an interest held in common with the public or other members of the House generally. I am convinced that the failure of a member to declare a matter required to be declared under standing order 260 can be raised as a matter of privilege and is potentially a contempt of the House.

The member for Thuringowa has pointed out that, according to the Register of Members' Interest, the members for Burdekin, Mirani and Hinchinbrook all hold an interest in the sugar industry, all having interests in canefarming, and that none of those members declared their interest in the debate on the bill and asked that the matter be referred to the Members' Ethics and Parliamentary Privileges Committee.

The main purpose of the Sugar Industry Amendment Bill was the repeal of the compulsory acquisition or vesting of raw sugar on the domestic market by a single desk marketing body, Queensland Sugar Ltd. A new marketing system for sugar, based on contractual arrangements between mills and QSL, is to be implemented. As far as I am aware, this potentially affects all canefarmers. The bill also gave authority for pre-existing contracts between QSL and two of the domestic sugar refiners. If members were shareholders of these refiners they may have had a pecuniary interest. However, it would be unlikely to be greater than any other shareholder.

Standing order 260 is a relatively new standing order. It was recommended by the Members' Ethics and Parliamentary Privileges Committee in its report on the code of ethical standards for members and was finally adopted by the House in 2001. Because it is a relatively new standing order and differs significantly from requirements in other jurisdictions, there is no precedent on its effect. No doubt it was for this reason that the Members' Ethics and Parliamentary Privileges Committee published an information notice earlier this year titled *Declaration of pecuniary interest in debate and other proceedings*. In that paper the committee provided a number of examples as to where the standing order would apply or would not apply. Example 1 given by the committee is almost identical to the current situation. It states—

- (1) A member who is a sugar cane grower and speaks on amendments to the Sugar Industry Act 1999 need not declare their pecuniary interest—it is an interest that the member has in common with other subjects of the Crown or members of the House generally; it is not an overly limited class.

Given the committee's previously published opinion on this matter contained in its information paper, I find that there has been no apparent breach of the standing order and no matter of privilege arises. Therefore, I do not intend to refer the matter to the committee. However, I would suggest to all honourable members that any possible criticism or controversy would be avoided if members were especially diligent to declare any possible pecuniary interest they have in a matter when they speak in the debate.

ANNIVERSARY OF MEMBERS' ELECTION TO PARLIAMENT

Mr SPEAKER: Honourable members, it is with much pleasure that I acknowledge and congratulate the following members, who were all elected to parliament on this day in 1989: the Premier, the member for Mount Gravatt, the member for Everton, the member for Cleveland, the member for Fitzroy, the Leader of the Opposition, the Leader of the Liberal Party, the member for Gregory, the member for Hinchinbrook, the member for Rockhampton, the member for Greenslopes, the member for Ipswich West, the member for Mulgrave, and the member for Barron River. It is a pleasure to be part of the class of '89 with you all.

PETITIONS

The following honourable members have lodged paper petitions for presentation—

Gympie Bypass

Miss Roberts from 958 petitioners requesting the House to reject all five proposed routes for a new highway between Cooroy and Curra because of the massive social and economic impacts they will have on all sections of the greater community of the area and commission a new study to investigate areas outside greater Gympie and its new rural residential sub-divisions and to design a route that will provide a complete by-pass of these areas for well into the future.

Eastern Busway

Mr Caltabiano from 443 petitioners requesting the House to immediately remove Option A from the Eastern Busway option assessment process.

Contrast Dyes

Mr McArdle from 51 petitioners requesting the House to initiate a public enquiry into the use of Myodil and other oil based and water contrast dyes and establish a foundation for sufferers to cover their costs of ongoing medical conditions and requirements and request Government at all levels to take such action so as to provide compensation and medical cover for sufferers.

PAPERS

MINISTERIAL PAPERS TABLED BY THE CLERK

The following ministerial papers were tabled by the Clerk—

Minister for Employment, Training and Industrial Relations (Mr Barton)—

- President of the Industrial Court of Queensland in respect of the Industrial Court of Queensland, The Queensland Industrial Relations Commission and The Queensland Industrial Registry—Annual Report 2004-05

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

- Response from the Minister for Environment, Local Government, Planning and Women (Ms Boyle) to an e-petition sponsored by Mrs Stuckey from 475 petitioners requesting the House commit to lobbying the Japanese Government to prohibit the expansion of any whaling programs and to support the Federal Government in creating an international whale sanctuary

MINISTERIAL STATEMENT

Van Tuong Nguyen

Hon. PD BEATTIE (Brisbane Central—ALP) (Premier and Treasurer) (9.38 am): This morning a young Australian man has been led to the gallows in Singapore. I am not defending the actions of Van Nguyen. He committed a crime and deserved to be punished. However, the punishment does not fit the crime. I acknowledge that countries generally have a right to determine and impose penalties that they deem appropriate for crimes committed within their jurisdiction. However, I believe there is a need to balance this against the inherent right of every human being to live as recognised under the International Covenant on Civil and Political Rights.

I wrote to the Prime Minister yesterday commending the development of the National Framework for Human Rights—a national action plan. I support this commitment to continue to raise with other governments, on a case-by-case basis, individual cases of concern and thematic concerns such as the use of the death penalty.

However, I believe that it may also be timely to raise with our Asia-Pacific neighbours the importance of abolishing the death penalty as a policy generally. I note that the European Union, for example, maintains high level political action to pressure countries to abolish the death penalty. In this context I believe there are a number of measures that Australia could take to adopt a similar strategic approach to this issue. For example, Australia could raise with our Asia-Pacific neighbours the importance of the second optional protocol to the International Convention on Civil and Political Rights that is aimed at the abolition of the death penalty.

In addition, it would be helpful if the Commonwealth government could negotiate special conditions under the international prisoner transfer scheme that would allow Australian citizens convicted of crimes overseas to serve their sentence in Australia. This would include the possibility that Australian citizens sentenced with a death penalty could serve an equivalent maximum sentence in Australia.

In 1922 Queensland became the first Australian jurisdiction to abolish the death penalty. The other states and territories followed much later, but there is thankfully now across-the-board agreement in Australia that capital punishment is not appropriate in any circumstances. Because of the importance of this issue, I seek leave to incorporate my letter to the Prime Minister in *Hansard*.

Leave granted.

For reply please quote: LS08/LJP

The Honourable John Howard MP
Prime Minister
Parliament House
CANBERRA ACT 2600

Dear Mr Howard

I am sure you share my concerns regarding of the impending execution of an Australian citizen by an overseas jurisdiction.

While I acknowledge that countries generally have a right to determine and impose penalties that they deem appropriate for crimes committed within their jurisdiction, I believe there is a need to balance this against the inherent right of every human being to live, as recognised under the International Covenant on Civil and Political Rights.

I commend you for developing the National Framework for Human Rights—National Action Plan, with your commitment to continue to raise with other governments, on a case-by-case basis, individual cases of concern and thematic concerns, such as the use of the death penalty.

However, I believe that it may also be timely to raise with our Asia Pacific neighbours the importance of abolishing the death penalty as a policy generally. I note that the European Union, for example, maintains high level political action to pressure countries to abolish the death penalty.

In this context, I believe there are a number of measures that Australia could take to adopt a similarly strategic approach to this issue:

For example, Australia could raise with our Asia-Pacific neighbours the importance of the Second Optional Protocol to the International Covenant on Civil and Political Rights that is aimed at the abolition of the death penalty.

In addition, it would be helpful if the Commonwealth Government could negotiate special conditions under the international prisoner transfer scheme that would allow Australian citizens convicted of crimes overseas to serve their sentence in Australia. This would include the possibility that Australian citizens sentenced with a death penalty could serve an equivalent maximum sentence in Australia.

If you believe support from my colleagues, the other Premiers and Chief Ministers, on this issue would be of benefit to international negotiations, I am confident it would be forthcoming. Certainly you could rely upon my support and interest.

Yours sincerely

PETER BEATTIE MP
PREMIER AND TREASURER

Mr BEATTIE: I know this House unanimously passed a resolution calling on the Singapore government not to go ahead with this execution. It is a very sad day for our relations with Singapore. It is a very sad day not just for this young man but for his family. I do not want to be misunderstood on this. I have a very firm view about drug-trafficking. No-one supports the trafficking of drugs but, in my view, no-one in a civilised society supports the right of any state in the world to take the life of any citizen.

MINISTERIAL STATEMENT

Queensland Population

Hon. PD BEATTIE (Brisbane Central—ALP) (Premier and Treasurer) (9.41 am): I highlight that in terms of the growth of Queensland, as many members would be aware, next Friday we are set to reach a major milestone in our great state. At around 3.55 am next Friday our population will reach four million. Achieving this milestone is a time to celebrate everything that makes Queensland great. We have come a long way. I seek leave to incorporate details in *Hansard*.

Leave granted.

In 1938, when the State's population reached one million, about 55% of the population resided in urban locations, while 45% were rurally located.

It wasn't for another 36 years that our population climbed to the two million mark in 1974.

In less than two decades, this figure climbed to three million by 1992.

Queensland now accounts for 19.5% of Australia's population.

While the Queensland population was growing at a rate of 2% in the 12 months to March 2005, the rest of Australia grew by 0.9% for the same period, which means we are growing faster than any other state or territory in Australia.

Our population growth is only rivalled by our economic growth, employment growth and the best budget bottom line in the country.

Mr Speaker,

We have been tracking this imminent special occasion for some time now and have celebrations planned for the big day.

If you visit our Office of Economic and Statistical Research website you will find a special Queensland population counter.

The counter projects the latest published estimated resident population for Queensland and assumes a total population increase of one person every 6 minutes and 42 seconds.

Just before I walked into the Chamber the counter had reach 3,998,541.

Mr Speaker,

The countdown has begun!

MINISTERIAL STATEMENT

Smart State

Hon. PD BEATTIE (Brisbane Central—ALP) (Premier and Treasurer) (9.42 am): We are blessed to live in a beautiful place and my government has been working hard to secure the future for all the people who live in this state. This has been a tough year in many senses for my government, but it has also been a productive one that has seen major reforms in health and education and continuing work to protect our most vulnerable children.

The Smart State program continues and is driving jobs and training and we continue to build and plan for vital infrastructure. I want to take this opportunity to give the people of Queensland a detailed accounting of the government's activities this year across all of its areas of responsibilities. It is a 47-page document and outlines many of the achievements of our government in 2005. It is not self-congratulatory in any way; it simply highlights what we have been doing. It does not move away from any of the issues involving what is happening with inquiries. It deals with Queensland's new health action plan, which includes extra funding of \$547.6 million in 2005-06; better health service infrastructure; funding that has been allocated to train 235 new doctors over the next five years at Griffith University; the \$120 million program to remove all asbestos roofs in state schools; the trend unemployment rate of 4.9 per cent in October; the record state budget for transport; south-east Queensland's infrastructure plan; and the blueprint for the bush. I seek leave to incorporate the rest of my ministerial statement in *Hansard*.

Leave granted.

Amongst the most important changes, improvements and reforms made this year I would draw the House's attention to: Queensland's new Health Action Plan which includes extra funding of \$547.6 million in 2005-06.

This new Plan will: help ensure Queenslanders get the best possible health care; it will also provide immediate relief to health service staff across the State, and allow investment in urgently needed new services in the future. This plan will enable the phased implementation of reforms to ensure future sustainability.

In April, the Queensland Government started the process of examining all aspects of our health system.

Through the Queensland Health Systems Review and the Commission of Inquiry we have sought to expose problems wherever they exist.

We have already embarked on a major transformation of the public health system to fix those problems, and in seven months, significant progress has been made.

We are determined to make the Queensland Health system the very best in Australia and we're making change on a major scale.

These reforms are detailed in the recently released Action Plan and are underpinned by the single biggest injection of health funding in Queensland's history.

The Government has committed an extra \$6.4 billion to Queensland Health commencing now and over the five and a half years to 2010-11.

We will deliver more doctors, more nurses, more allied health professionals, more facilities, better training and better services.

We believe we have laid the foundation for building the best health system in Australia.

We've also done a lot of work on providing better health service infrastructure. The capital works undertaken this year by Queensland Health total \$561.6 Million. A further \$62.13 Million was allocated in the October mini-budget for health capital works this financial year, and next. Major projects started this year include:

- the expansion of Caloundra Health Services at a cost of \$50 Million, and

- the upgrade of Dalby Hospital's Outpatients, Emergency Department and Maternity areas.

Other projects include:

- the Prince Charles Hospital upgrade at a cost of \$84.5 Million,

- the upgrade of Mackay Hospital's Specialist Outpatient and Administrative Building for \$3.5 Million,

- the upgrade of Robina Hospital's Emergency Department and Intensive Care Unit for \$18.1 Million.

A funding announcement of \$19 Million was also made for an extensive upgrade of the Emergency Department at Rockhampton Hospital.

Funding has also been allocated to train 235 new doctors over the next five years at Griffith University.

Major reforms have also been made to continue the improvement in Queensland's education system.

This year the biggest education capital works project in the state's history has been underway to prepare for the Queensland-wide introduction of the new preparatory year in 2007. More than 1600 state school classrooms will either be built or refurbished as part of the multi-million Smart State prep initiative.

We're also making a major investment in computer technology in schools. The Smart Classrooms strategy—a \$56 Million investment over four years—will use computer technology to transform state schools into Smart Classrooms. Each of Queensland's 1300 state schools is being given the capacity to provide access to web-based learning materials from anywhere, at any time, by the end of 2007.

Mr Speaker, a \$120 Million program to remove all asbestos roofs in state schools is also underway. Work is being done as quickly as possible. More than 100 asbestos roofs will have been replaced by the end of the December—the first six months of the program. Full scale weekend roof replacement work will support the continuing acceleration of the program.

I am also pleased to report to the people of Queensland annual employment growth in Queensland to October was 74 300—more than in any other state or territory in Australia.

This contributed over 27% to annual national jobs growth, well above Queensland's 19% population share.

Queensland's unemployment rate of 4.9% (trend) in October was again below the national average (5.1%), and has remained steady after achieving a 30-year low of 4.7% in January to March 2005.

Our police are also benefiting from increased resources—officer numbers have broken the 9,100 barrier. The Service has achieved its 10-year staffing plan for 300 additional police officers each year, with an actual strength of 9,132 officers. This has also ensured Queensland police numbers are maintained above the national average police to population ratio.

Our government has also given Police new laws to crack down on public disorder offences—we've repealed the Vagrants, Gaming and Other Offences Act and replaced it with the Summary Offences Act which ensures the community can safely use public places without having to feel threatened or in fear for their safety.

Queensland families are also benefiting from a record 2005/06 State Budget for Transport and Main Roads. That means we have more money than ever—\$2.83 Billion—to spend on transport infrastructure providing a huge boost for public transport, roads, rail and port infrastructure in Queensland.

That record amount will be spent on:

\$1.1 Billion for planning, construction, maintenance and operation of state-controlled roads

\$630 Million for roads in regional Queensland—an increase of 12% in funds outside the south east corner—over and above normal allocations

an extra \$448 Million in state funds for rural and regional works outside the south-east corner over the next four years

\$363 Million for public transport

\$410 Million for new and upgraded rail lines, an expanded coal wagon fleet and coal terminal expansions in Central Queensland.

\$3.2 billion over four years for projects included under the South East Queensland Infrastructure Plan and Program (SEQIPP)

And Mr Speaker, the Government's South East Queensland Infrastructure Plan dovetails with the government's plans to meet the delicate balance between developing urban areas for future growth and protecting our environment and landscape.

The \$55 billion Plan is about smart planning. The Plan's Program [2005 to 2026] is the most ambitious in Australia since Federation, detailing more than 230 projects.

And in the bush we have completed our consultation on the Blueprint for the Bush and held a symposium. I announced the development on the Blueprint in February 2005, in conjunction with Agforce. It's a 10-year plan to support sustainable rural and regional areas. The extensive consultation process was completed in September 2005 and key themes emerged that will contribute to the final Blueprint document. A symposium of rural and regional stakeholders was held in Toowoomba last month and I expect to release a draft Blueprint for the Bush document for further consultation early next year.

Mr Speaker I am proud to provide this account of change, improvement and reform initiated by our government for the benefit of all Queenslanders. I look forward to returning to this place at the same time next year to detail further achievements on behalf of all the members of our great community.

Mr BEATTIE: I table a copy of the report on the government's activities for the information of the House.

MINISTERIAL STATEMENT

South Carolina, Biotechnology

Hon. PD BEATTIE (Brisbane Central—ALP) (Premier and Treasurer) (9.43 am): We will be welcoming a delegation from our sister-state South Carolina from 5 to 7 December. I will be hosting a reception for the delegation on 7 December. The main purpose of the mission is to strengthen the growing biotechnology collaboration between our two states. I seek leave to incorporate details in *Hansard*.

Leave granted.

It's also designed to progress key initiatives under our Biotechnology Memorandum of Understanding, which we signed on June 17.

About 14 representatives from South Carolina organisations, including universities, will be participating in the mission.

The mission will also include representatives of economic development agencies and technical colleges.

They will receive numerous briefing sessions with organisations including the University of Queensland, Queensland University of Technology, Tradecoast and the Sunshine Coast Innovation Centre.

The development of biotechnology programs, both independently and in collaboration with partners, has been one of our priorities under the Smart State strategy.

MINISTERIAL STATEMENT

Minor Facilities Program

Hon. PD BEATTIE (Brisbane Central—ALP) (Premier and Treasurer) (9.44 am): This weekend the latest round of government funding for sport and recreation activities officially opens. I encourage eligible organisations and councils to consider applying for funding under the state government's Minor Facilities Program, Club Development Program, Local Government Development Program and Indigenous Community Development Program. In our last round we approved nearly \$20 million in grants for more than 1,000 projects across the state from a bowling green in Ayr to a 'come and try

soccer day' in Wondai. I urge all members to get across it and urge organisations to apply. I seek leave to incorporate details in *Hansard*.

Leave granted.

With our population increasing, my Government is committed to helping communities provide the facilities and programs that enable all Queenslanders to get active in their local area.

We fund projects that not only focus on providing sporting facilities, but developing increased opportunities for people to participate in sport and recreation activities.

These Programs strengthen the capacity of councils, sport and active recreation organisations and Indigenous organisations to deliver services at the grass roots level.

Whether you live in far north Queensland or out west, our sport and recreation programs offer numerous benefits to everyone, including improved lifestyles, better health, education and community development.

The Minor Facilities Program provides financial assistance to clubs and other eligible organisations for local level sport and recreation facilities.

The Club Development Program provides financial assistance to sport and recreation clubs to improve delivery and participation in programs through better education, management and training.

The Local Government Development Program assists councils to undertake recreation planning, participation initiatives and local facility developments such as cycleways, walkways and swimming pools.

The Indigenous Community Development Program funds Aboriginal and Torres Strait Islander councils and organisations for sport and recreation planning, participation initiatives, education and training projects and the employment of sport and recreation staff.

Our Government provides more than \$50 million in community grants each year to support sport and active recreation projects and initiatives.

We do this because we want more Queenslanders to discover the significant health and social benefits of getting active and staying active throughout their lives.

Mr Speaker,

A Smart State is an active State, and I look forward to working together to get more Queenslanders physically active.

I strongly encourage any eligible organisation planning a sport-related project, to check out the guidelines and make an application.

MINISTERIAL STATEMENT

Bottleshops

Hon. PD BEATTIE (Brisbane Central—ALP) (Premier and Treasurer) (9.44 am): By way of information, I am asked from time to time in relation to the ownership of hotels in Queensland what has happened as a result of the movement by supermarkets in recent times. At a cabinet meeting on 21 November 2005 we discussed this issue and I inquired as to the number of hotels and detached bottleshops owned by Woolworths and Coles across Queensland. Data provided by the Liquor Licensing Division indicates that the Australian Hospitality and Leisure Group, which is a joint venture between Woolworths and entrepreneur Mr Bruce Mathieson, owns 49 hotels and 99 detached bottleshops throughout Queensland. MGW Hotels, a joint venture between Woolworths, Mr Bruce Mathieson and another entrepreneur, Mr Andrew Griffiths, owns 35 hotels and 70 detached bottleshops and Liquorland, owned by Coles Myer owns 27 hotels and 53 detached bottleshops. Overall Woolworths and Coles have an ownership interest in 111 of 1,328 hotels across Queensland, which is 8.3 per cent of the market, and 222 of 773 detached bottleshops across Queensland, which is 28.7 per cent of the market. The overwhelming majority of these hotels and bottleshops are located in high-growth areas across south-east Queensland.

MINISTERIAL STATEMENT

Health Funding

Hon. PD BEATTIE (Brisbane Central—ALP) (Premier and Treasurer) (9.46 am): There are two matters I want to deal with in relation to health. One relates to the debate earlier this week and the resolution seeking a federal inquiry into health, which would have resulted in hundreds of millions of dollars being available for Queensland Health. Because of the time, I seek leave to incorporate details of my ministerial statement in *Hansard*.

Leave granted.

I am appalled that this week the Nationals and Liberals voted against the need for a Federal Inquiry into health which would result in hundreds of millions of dollars being made available for Queensland health.

The motion said that this House draws the attention of the Federal Government to the comments of the Forster Report and the Davies Report in relation to the need for Federal reform of the Australian health system and calls on the Prime Minister to hold an urgent inquiry into the Federal health system.

This week the Liberals and Nationals had a simple choice—

vote for the chance of a better health system for Queensland

or vote on political lines.

I have to report to Queenslanders that the Liberals and Nationals voted to score political points and against the chance to improve our health service.

What hypocrites.

Peter Forster, the independent head of the five-month Review of Queensland Health,

reported that the current system of mixed roles and responsibilities for funding and delivering health services between the Commonwealth and the states is a major barrier to health service improvements.

The Nationals and Liberals voted against doing anything about that.

The Nationals and Liberals know that Mr Forster says on page 52: "Without significant changes to the way services are delivered and funded at both the State and Commonwealth level, rationing of public health services in the future is likely to get worse."

They voted against seeking those changes.

The Nationals and Liberals know that Mr Forster recommended that Queensland seek a national review of the future health care system in Australia, covering roles and responsibilities of Commonwealth and State Governments.

They voted against such a review.

The Nationals and Liberals know that Commissioner Geoffrey Davies reported: "The reality is that Australia's national health care spending has been growing faster than the Australian economy in every year since 1990. Sooner or later this imbalance must be addressed, as must the reality that, in Australia generally, free public hospitals do not appear to be providing those services adequately."

They voted against dealing with those problems.

I have suggested a national summit and I was delighted on Tuesday when the AMA's Queensland President Dr Steve Hambleton supported my suggestion.

Like me, he says stakeholders should work together to fix the health system.

This week the Nationals and Liberals rejected the view of the Australian Medical Association.

How foolish was I when in this House before that debate I said I looked forward to the Liberals and Nationals in this House supporting a summit.

Despite massive evidence that sick Queenslanders would benefit from the improvements resulting from a Federal inquiry into the Commonwealth health system, the National and Liberal Parties voted against it.

I urge all Queenslanders to see for themselves on page 4557 Hansard the names of those Nationals and Liberals who essentially voted against a chance to further improve funding for Queensland Health.

MINISTERIAL STATEMENT

Queensland Health, *Courier-Mail*

Hon. PD BEATTIE (Brisbane Central—ALP) (Premier and Treasurer) (9.46 am): For the record—and it is important that I do this—it is a fact that after a five-month investigation into Queensland Health systems Peter Forster found that Queensland Health overall, based on all available information, is performing as well as any other health system in Australia. Yesterday the *Courier-Mail* stated as an absolute fact that, 'The Queensland health system has been exposed as Australia's worst.' I want to make it clear that the *Courier-Mail* stands condemned on two counts. The report following this assertion was about the report of the Davies commission of inquiry. I have been unable to find, nor have my staff, any finding by Mr Davies to that effect. So it is not true to say that it has been exposed in that way. Further, there is much evidence, in addition to Mr Forster's finding, that Queensland Health provides a world-class service to thousands of Queenslanders.

The *Courier-Mail* also attacked the government by alleging that we are misusing FOI. I want to make it clear that this is not true. Our FOI legislation is similar to the federal government, but I do not see the *Courier-Mail* attacking the federal government in the same way. In fact, I believe that investigation of the record of the two governments would show that we released far more information than the federal government. In 2003-04 the federal government granted 74 per cent of applications in full; the Queensland government granted 82 per cent of the applications in full.

John Howard said in a radio interview on 26 August in relation to the Commonwealth decision to prosecute two Canberra journalists for publishing confidential information—

If governments are to make the right decisions, surely we should be given the opportunity from time to time, of conducting some of our deliberations in the sure knowledge that the detail of those deliberations is not going to get into the public domain until we, as Ministers, judge it appropriate to do so.

In a speech to a Public Service audience on 1 November, Treasurer Peter Costello said he was concerned about extensive use of FOI by the media. Mr Costello said—

I would not want to see practices growing up over those laws which would inhibit policy-making or would lead to a disinclination in relation to working documents and policy development, to document in writing and pros and cons of particular proposals. This will become an obstacle to giving candid and fearless advice.

He described having protection from FOI as very, very important. The Queensland FOI Act is intended as a safety net. It specifically says that it operates in addition to any other legal mechanisms for public release of information. We have passed the Health Services Amendment Act to legally require, for the first time in Queensland history, the public release of hospital measured quality reports and waiting list information.

I will not take the *Courier-Mail* seriously on this issue until it starts being fair in its reporting and its comments and it treats the Prime Minister and Peter Costello in the same way it seeks to treat my government. I want to make this point, too: there is much evidence, in addition to Mr Forster's finding, that Queensland's health system provides a world-class service to thousands of Queenslanders. I call on the *Courier-Mail* to contribute to an informed debate of what needs to be done to improve health systems in Australia. When I see it give consideration to a serious debate about the national issues of health, then I will take it seriously again. I just seek balance in this reporting.

MINISTERIAL STATEMENT

Ethanol; Aboriginal and Torres Strait Islander Art Calendar

Hon. AM BGLISH (South Brisbane—ALP) (Deputy Premier, Minister for Finance and Minister for State Development, Trade and Innovation) (9.49 am): Queensland's ethanol revolution has gone forward in major leaps and bounds over the past 12 months, and today I can announce yet another considerable milestone. Queensland's top 25 listed company Suncorp today introduces an ethanol policy which requires the company owned fleet cars to use ethanol blended fuels wherever possible. To complement the new policy, Suncorp executives have also launched an in-house information campaign for staff encouraging them to take up ethanol use in their private vehicles. When one considers that the Suncorp fleet is 600-vehicles strong and the fact that the company employs 6,000 staff in Queensland and 8,500 people throughout the country, this is no small innovation.

Suncorp is the first Queensland listed company to publicly release an E10 vehicle policy and hopefully this will blaze a trail for other major corporate identities to follow suit and join what has truly evolved as a revolution in the fuel industry. I congratulate Suncorp's CEO, John Mulcahy, for leading the way with the introduction of the policy. Industry-lead initiatives like this are imperative in spreading the word and building a sustainable ethanol industry in Queensland. This kind of move by a major company and a major employer is a significant stamp of approval and a big step forward for the ethanol industry at a time when Queensland is already leading the way.

In terms of the establishment of a local ethanol industry and the uptake by motorists, Queensland is a trailblazer. No other state has so rapidly taken on this cleaner, greener renewable fuel alternative. We have come a very long way in overcoming the misconceptions about ethanol that once abounded. Let me tell members how far. Let us look at the facts. In July last year Queensland had only 17 service stations throughout the state supplying ethanol blended fuels. Today that figure is 106 service stations. Just 12 months ago ethanol was thought of only in the production of perfumes and alcoholic drinks, let alone something that people would use to fuel their vehicles. This year, however, it is estimated that 20 million litres has been sold to Queensland motorists, including more than one million to Q-Fleet drivers. The state government has played a vital role in the increased uptake of ethanol with the Queensland Ethanol Industry Action Plan—which I know the Speaker is very familiar with and I am sure that he is very pleased to hear today's news—which commits \$7.3 million to the development of this industry over two years.

As this is the last sitting day of the year and Christmas and the new year are fast approaching, I want to take this opportunity to launch the 2006 Aboriginal and Torres Strait Islander Art Calendar. This calendar is produced by the Queensland Indigenous Arts Marketing and Export Agency, or QIAMEA, to promote the extraordinary talents of Queensland's Indigenous artists. These are fast becoming one of Queensland's best exports. The calendar features the work of artists of such renown as Judy Watson, Ron Yunkaporta, Ken Thaiday Snr, Billy Missi, Sally Gabori, Leah King-Smith and Dennis Nona and Samantha Hobson, many of whom are from the electorate of the member for Cook. To commemorate the publication today, I have asked for a copy of this beautiful calendar to be distributed to every member of the House and I hope to see it prominently on display in their electorate offices when I visit.

DISTINGUISHED VISITORS

Mr SPEAKER: Before I call the Attorney-General, I welcome to the public gallery Mr Alistair Harkness, the member for Frankston in the Victorian parliament, and his partner, Tawny.

MINISTERIAL STATEMENT

Finch, Mr R; Appeal Against Sentence

Hon. LD LAVARCH (Kurwongbah—ALP) (Minister for Justice and Attorney-General) (9.53 am): Before I make my ministerial statement, I want to take the opportunity this morning to endorse the sentiments of the Premier in respect of Van Nygen and the tragic and unnecessary end to his life. May we never forget that the death penalty is a barbarian act and may we continue to fight against it.

I wish to inform the House that I will exercise the Attorney-General's right of appeal in respect of the penalty given to Roderick Alexander Finch at Maroochydore District Court on 22 November. According to police, this offender had the largest collection of child pornography images ever found in Queensland. Mr Finch, aged 47, had 85 compact discs filled with obscene images and movies. An inspection of just 20 of those discs—or less than one-quarter—found nearly 56,000 child pornography images. If all of the remaining discs contained the same material—and a brief inspection showed they did—this offender could have had over 220,000 obscene images of children. These images were of the most degrading type involving children as young as three. My sympathy goes to the victims depicted in these appalling images and to the police who must examine this sort of material in order to prosecute the offenders. Due to all of these factors, I believe that the sentence of four months imprisonment and a three-year probation order imposed in this case is manifestly inadequate.

MINISTERIAL STATEMENT

Westgate Precinct, Police Academy

Hon. JC SPENCE (Mount Gravatt—ALP) (Minister for Police and Corrective Services) (9.54 am): This month the Premier released a discussion paper on proposals for the Westgate precinct. As part of that proposal, we are considering siting a new police academy on the Westgate precinct and today I table the business case that the Police Service has prepared for government's consideration.

MINISTERIAL STATEMENT

Health System

Hon. S ROBERTSON (Stretton—ALP) (Minister for Health) (9.54 am): It is time the federal government was held to account for refusing to face up to its responsibilities to contribute to rebuilding our public health system. Unfortunately, it appears that the federal minister, Tony Abbott, still does not get it. Yesterday he claimed that problems in Queensland's health system are unique and it is not a national problem. Rubbish! As Commissioner Davies noted at page 361 of his report, concerns similar to those investigated by him have been investigated in other jurisdictions such as Western Australia in 1999, the ACT in 2000 and New South Wales in 2002. How many more inquiries and reports from Queensland and interstate will it take for the Prime Minister and his health minister to accept their responsibilities?

To quote from the independent health system's review—

Without significant changes to the way services are delivered and funded at both the State and Commonwealth level, rationing of public health services in the future is likely to get worse.

The Davies commission of inquiry reported—

Can Queensland or for that matter Australia, ever provide, at no cost and at an adequate and safe level, all the services promised to all people, at least without a substantial increase in taxation or a substantial increase in income from other sources?

If these findings cannot snap the federal government into action, what can? Yet it has shown absolutely no leadership on health reform and in fact has contributed to Queensland's problems. For example, it failed to address the shortage of medical places in our universities, forcing an overreliance on overseas trained doctors. It has contributed to the underfunding of Queensland hospitals by short-changing the states by over \$1 billion under the current Australian Health Care Agreement.

Let us look at how the federal government could be a constructive partner in health care reform in Queensland. Firstly, if the Australian Health Care Agreement required the Commonwealth to match the rate of growth of state funding, just as it requires the states to do of the Commonwealth, then the federal government would be contributing an additional \$1.6 billion over the life of the agreement to June 2008. Secondly, the federal government could do exactly what the Beattie government has done and increase funding to health by using a significant portion of the ever-increasing surplus of taxpayers' dollars which it has collected. Thirdly, it again should do what the Beattie government is doing, and that is to reduce the bureaucracy and reinvest the savings in hospital services.

Mr Speaker, you might be interested to know that the Department of Health and Ageing annual reports reveal that the total non-medical staff of that department has increased by 33 per cent from 1998-99 to 2004-05 and the number of staff employed by the federal Department of Health and Ageing in its central office has increased by some 48 per cent, with bureaucrats in DoHA's Queensland state office increasing by 27 per cent over the same period. That conservatively represents approximately \$100 million a year in administrative costs that could have gone into patient care if the federal government had capped the growth in health bureaucrats. Delivering health care to Australians is supposed to be a partnership between the states and the Commonwealth. The Beattie government has been held to account over its funding of health. It is about time the federal government was as well.

MINISTERIAL STATEMENT

Storm Damage

Hon. PD PURCELL (Bulimba—ALP) (Minister for Emergency Services) (9.58 am): South-east Queensland has been hit hard this week by severe storms, and the forecast is for more to come. Our SES volunteers have been busy helping residents throughout the south-east and have done a marvellous job, ably assisted by our counterdisaster and rescue services team. Yesterday we saw 260 millimetres of rain fall in the Noosa area, causing a large part of the main road to Noosa Heads to subside and flash flooding along Hastings Street. Two people were treated by the Queensland Ambulance Service after being struck by lightning, but thankfully they are recovering. I want to thank the member for Noosa for her efforts in travelling to her electorate soon after the storms to help out and meet with those affected and to keep me and my office updated with information on the ground.

Yesterday morning I visited Currumbin Waters, where 20 homes were flooded following severe storms on Wednesday night. In all of these storms this week, SES crews have been called out to more than 250 south-east Queensland homes and businesses to repair damage and help clean up. On Wednesday night, the Gold Coast SES received multiple requests for assistance at flooding at Currumbin Waters, and several cars were towed away from floodwaters. The SES also attended to a number of incidents in Capalaba, Redlands, Lota and Kimberly Heights for leaking roofs, minor flooding and fallen trees.

Some of the most significant damage that I witnessed yesterday morning seemed to be caused by a drainage problem in the Currumbin Waters area. Residents have lived in this area for 30 years. However, this is the first time they have encountered this problem. This is the third flooding event in that area this year. The Gold Coast City Council is responsible for drainage systems. However, we are keen to look at funding arrangements under the natural disaster mitigation program to address the drainage situation. This is a joint program between federal, state and local governments, which each pay a third of the total cost. I have asked the department to prepare a letter to the Gold Coast City Council mayor to make him aware of the scheme. I felt very concerned for all the residents there, but particularly for the older residents who were very distraught after the third event they have had this year.

The storm front on Tuesday night affected residents from Ipswich, through Brisbane's south-east suburbs to Logan City. Brisbane's northern suburbs, up to Caboolture and Bribie Island, were also hit by another line of storms. SES groups were immediately activated after the storms to assist residents with the clean-up and to secure homes. The majority of calls for assistance were in Algester in Brisbane, with blocked drains, tree branches falling on to roofs, and cracked roofing tiles being the main problems. Like the storms which hit Gympie last week and Narangba earlier this week, these storm cells were small but intense, causing damage in narrow corridors.

The weather bureau is also forecasting possible storms for tonight across much of south-east Queensland and possibly over the weekend as well. While the Department of Emergency Services staff and volunteers are very well prepared in the event of these severe storms, all residents should do their bit as well. We should all spend time to ensure our homes and businesses are ready to withstand these severe storms.

QUESTIONS WITHOUT NOTICE

Premier; Letter to Commissioner Davies

Mr SPRINGBORG (10.02 am): My question without notice is to the Premier. I refer the Premier to his letter to Commissioner Davies dated 30 September 2005, the opening sentence of which states—

I am prepared to act to continue my government's record of openness and accountability—

and the commissioner's comment in the report where he says—

The opening sentence of this extract is inconsistent with the facts ...

I ask: is it possible that the commissioner misunderstood the Premier's use of the word 'act' and that he was only acting to be open and accountable?

Mr BEATTIE: I am absolutely delighted to receive this question. I thought about making a ministerial statement about this matter, so I thank the Leader of the Opposition for asking me about it. What I was referring to is very simple and that is this: that my government was the first government in the history of Queensland to release waiting lists. That is the first point. I can remember Wendy Edmond, who has been much criticised in all of this, talking to me when we were in opposition and saying to me that she felt—bearing in mind that there had been so much cover-up under the National Party and the Liberal Party—that we should release these waiting lists on a regular basis. My shadow cabinet at the time actually agreed to that as a matter of policy, and in government we did that. That is exactly what happened. In government we did that.

Opposition members interjected.

Mr BEATTIE: Hang on, there is no argument about this. That is exactly what happened. That is a fact. There is nothing in the Davies report or anywhere else to suggest the contrary. That is a fact. I was drawing a clear distinction—

Opposition members interjected.

Mr SPEAKER: Order!

Mr BEATTIE: I say this to—

Miss Simpson interjected.

Mr SPEAKER: Order! Member for Maroochydore!

Mr BEATTIE: Mr Speaker, the opposition can try to rewrite history, but that is a fact and Commissioner Davies has no argument with that. It is a fact. We were the first government in history to release waiting lists. There was a second category of lists—

Opposition members interjected.

Mr BEATTIE: Mr Speaker, it is their question time. I am happy to wait until they are finished. The fact is that they are not going to get away with misrepresenting this in the way they have been. The facts of life are: we were the first government—and the only government—in the history of Queensland to release waiting lists. Hence my comment to Commissioner Davies that we will continue the openness of transparency by continuing to release them. Absolutely. There is no doubt about that whatsoever.

The second point I want to make is this: that contrasts starkly with the performance of those opposite. When the Leader of the Opposition was a minister—

Miss Simpson interjected.

Mr SPEAKER: Member for Maroochydore, I have already warned you once. I would like you to come to the party tonight, but if you carry on like this you will not be coming.

Mr BEATTIE: In other words, I was contrasting very clearly my government's performance with that of the previous coalition government. The only argument that took place between my government and what Commissioner Davies had recommended related to the performance reports—the ones that were to be considered by each hospital.

The commissioner recommended that we should release those, and we have accepted his advice. When I wrote to him I said that we were prepared to continue this openness—that is, on an annual basis we would have this information reported to parliament we would also continue to release the waiting times. That is the context of it and I stand by everything I said. If the Leader of the Opposition has a look at the information that exists here—and, by the way, I am happy to remind him how many FOI applications he rejected when he was a minister if he wishes—

Time expired.

Keating, Dr D; Scott, Dr J

Mr SPRINGBORG: My question without notice is to the Minister for Health. As the minister decided to accept Dr Keating's resignation whilst he was still under investigation by the Davies royal commission so that he could obtain his superannuation and avoid prosecution by the CMC, will the minister tell this parliament why the only person to be sacked by him over the 'Dr Death' scandal was Dr Scott, whose only sin was to tell the truth about what Minister Nuttall knew and about whom? Commissioner Davies states—

The termination of Dr Scott's employment by the present Beattie government was a considerable loss to Queensland Health.

I ask the minister: does he accept Commissioner Davies's comment or is he also refusing to accept this finding?

Mr ROBERTSON: In relation to the first matter the Leader of the Opposition mentioned, officers of Queensland Health do not submit their resignations to me as minister—as the Leader of the Opposition would be aware. If he were in any way honest in terms of his participation in this debate, he would know that and therefore would not ask me that question in the first place.

In relation to the second matter, I cannot be of assistance to the Leader of the Opposition because I was not Minister for Health at the time of the resignation or the dismissal of the person that he mentioned.

Queensland Health

Ms STONE: My question without notice is to the Premier. I draw the attention of the Premier to the Forster report's finding that Queensland Health must restore its reputation with the community and with its staff or this may have dire consequences for its ability to continue to recruit staff and, therefore, provide services. I ask the Premier what the government is doing to restore Queensland Health's reputation and to recruit world-class staff?

Mr BEATTIE: Before I answer that question, I want to complete the answer to the Leader of the Opposition's question. When he was the minister for natural resources, I am advised that under his stewardship they knocked back more than 1,900 requests for FOI. What a record! The Leader of the Opposition has the hide to come in here and talk about FOI and he was minister for three months. Good heavens!

Ms Bligh interjected.

Mr BEATTIE: That is right. Imagine if he had three years in that job. Good heavens! They would have had truckloads of—

Mr SPEAKER: Premier, come back to the question, please.

Mr BEATTIE: Let me also table for the information of the House the freedom of information statistics which compare my government with the federal government. It demonstrates the figures that I gave before and I table them for the information of the House.

Government members interjected.

Mr BEATTIE: Yes, I look forward to the *Courier-Mail* printing them.

Mr Forster did point out that Queensland Health must restore its reputation with the community and with its staff or this may have dire consequences for its ability to continue to recruit staff and, therefore, provide services. Despite some sections of the debate labelling Queensland Health as a sick system, it has continued to provide thousands of Queenslanders with a world-class system and service. The government has worked extremely hard over the past six months—and, of course, previously, but particularly in the last six months—to provide new legislation, new mechanisms, new administration, a new focus on the role of clinicians and decision making and a massive increase in the salary packages for doctors. This has enabled us to go out to the world and recruit staff.

I launched a major recruitment campaign in London. Clinicians responding to our advertising are able to access a special section of the Queensland Health web site which provides them details of the attractions of working in Queensland but also enables them access to other information on the Queensland government web site about the Forster review, the commissions of inquiry and other information about what has been happening regarding Queensland Health.

They are then able to see the improvements that the government has made to the health system in the last six months. The latest figures today are that 637 expressions of interest have been received, and that is a good thing. I should highlight that now we have to recruit them. We have to overcome the disadvantage that our recruitment process is tougher than anywhere else in Australia. We need to make sure that we encourage the other states to bring their approval systems, through their medical boards, up to our standards, otherwise clinicians will go interstate and not come here.

There was a lot of fuss made by the opposition yesterday in relation to Minister Nuttall. I want to summarise very clearly the position so that it is on the record. The findings by Commissioner Davies related to a single meeting attended by the minister on one day. It was not a judgment on his tenure and performance as health minister. There was no finding that he deliberately misled. His comments at the meeting were based on a mistaken understanding brought about by the failure of departmental officers to give full and frank advice. The findings amount to a criticism of Gordon Nuttall for not rejecting or challenging the advice he was given by the director-general and the Chief Health Officer—

Time expired.

Davies Report; Minister Nuttall

Mr QUINN: My question is directed to the Premier. I refer to the article on page 9 of today's *Courier-Mail* in which the Premier and all of his cabinet ministers are fully supportive of the member for Sandgate remaining in cabinet, despite Commissioner Davies finding his conduct as Minister for Health to be 'misleading', 'unreasonable', 'careless', at best 'naive' and at worst 'disingenuous'. I ask the Premier: is being naive, disingenuous, misleading, unreasonable and careless the new benchmark for ministerial performance for the Premier and all his cabinet ministers that will be endorsed in the future? And now what will it take for the Premier to sack a minister?

Mr BEATTIE: Every day of every week the opposition in some manner, shape or form calls for some minister or someone to resign. In fact, the Leader of the Opposition fell so badly into the habit that he called on the Leader of the Liberal Party to resign. He forgot which side he was on. This has become such a farce. It is like the boy who cried wolf. No-one takes the opposition party seriously on these issues and, frankly, nor do I.

As I was saying—and I will summarise this because I want there to be a clear understanding of my position on this—I have very firm views about ministerial behaviour, and there have been a number of ministers who have left my ministry as a result. Ask Jim Elder about it. Let me come back to the point. The findings by Commissioner Davies related to a single meeting attended by the minister on one day. Firstly, it was not a judgment on his tenure and performance as health minister. Secondly, there was no

finding that he deliberately misled. His comments at the meeting were based on a mistaken understanding brought about by the failure of departmental officers to give full and frank advice. Thirdly, the findings amount to a criticism of Minister Gordon Nuttall for not rejecting or challenging the advice he was given by the director-general and the Chief Health Officer—advice which one would normally expect to be reliable. Fourthly, there was no finding of deliberate misfeasance in office or hint of official misconduct or impropriety in any form.

I have high standards. I have examined each one of these matters. I have read the report. Those four points sum it up. I am not going to allow some crazy media feeding frenzy or a politically motivated opposition that is only into dirty tricks to undermine and misrepresent what Commissioner Davies has said. Commissioner Davies did not make any recommendation in relation to Minister Nuttall. And no-one who has reported this can find such a recommendation, because there is none. That is why those four points summarise exactly what my position is, and I stand by them.

I say to the Leader of the Liberal Party that I have had on a number of occasions a very firm position on a range of matters involving my ministers that predecessors of mine have never had the courage to have. But I will stand by ministers if they have behaved appropriately. I insist on the highest possible standards. Those four points which have not been accurately reported in the *Courier-Mail* summarise the position. We are not going to simply have a media feeding frenzy to destroy someone when there is not a basis to do it. If there was a basis to sack Gordon Nuttall I would have sacked him, but there is not. I have acted on that. That summary says it all. While I do not expect to be treated fairly, there is one thing I do know: it is my decision and I have made it on an informed and principled basis.

Time expired.

Brisbane River, Crossings

Ms NOLAN: My question is to the Minister for Transport and Main Roads. Can the minister inform the House about various proposals to put more crossings over the Brisbane River in the city's west?

Mr LUCAS: I thank the honourable member for the question. Again, we see the Typhoid Mary of federal Liberal politics, Cameron Thompson, dipping his toe into the water of public policy in this state. Whenever he does that it is always educational. Of course, we have that wonderful journal of record, the taxpayer funded *Thompson Tribune*, which he circulates in his electorate, which recently claimed that he not only had \$10 million, which was wasted on the half northern bypass study, but that he also had the funding for the whole construction of the half northern bypass. That is what he said. That is what Cameron Thompson thinks about the Prime Minister's \$10 million commitment. Apparently he has the whole lot for \$1.1 billion. Today we see Cameron Thompson commenting on the Westgate proposal that the Department of State Development and Innovation has detailed. The Queensland government is working with the Brisbane City Council in relation to looking at how we might plan for that area in the future.

One of the things that we need to realise when we talk about the Ipswich Motorway corridor is that the more we can encourage development in that part of the world, particularly development that does not require people from the Ipswich area broadly to come into south-west Brisbane but development that encourages them to work in the area, the better it is for all of us. The more we can encourage development opportunities, the more the traffic will flow against the peaks in the morning and the afternoon. This is about being sensible. But we see Cameron Thompson and Michael Johnson commenting in the *Courier-Mail* about the problems of crossing the river. What is Cameron Thompson advocating? Two crossings of the river for \$1.1 billion, a six-lane National Highway freight route. That is the sort of crossing that he wants to inflict on people in the member for Moggill's electorate, and he has announced it as a fact of life. That is what is being promised by the federal Liberal government.

Cameron Thompson needs to be more consistent when he talks about river crossings rather than criticising a state proposal to look at creating industrial development opportunities in that area. I might add that the federal government has recently sold off the old Wacol army barracks. I remind Cameron Thompson that the federal government has not sold them off to make that open parkland. There will be industrial development there, right on the Ipswich Motorway. While I am at it I should thank Teresa Gambaro, the Parliamentary Secretary to the Minister for Defence, who did some good work there in working with the state government in relation to providing part of that corridor for the widening of the Ipswich Motorway. In any case, let us have more consistency. The federal government is more than happy for its land to be used for industrial development.

So we need a lot more consistency. People in western Brisbane ought to realise that Cameron Thompson is not only blowing \$10 million on the half northern bypass but also reckons he has the \$1.1 billion to do it. So Bruce will be able to duck over to Ipswich really quickly if he wants to have a look at its beautiful historical charms and he can take a B-double over there whenever he likes because Cameron Thompson has promised to fund the bypass.

Minister Nuttall, Overseas Visit

Mr MESSENGER: My question without notice is directed to the Minister for Primary Industries and Fisheries. When the minister was asked yesterday about his overseas trip, he responded by telling the parliament how badly done by he was as a consequence of the 'Dr Death' scandal. I ask the minister: how can he have the audacity to compare his position with the deaths, permanent injury, pain and suffering of the real victims of Dr Patel?

Mr NUTTALL: In relation to the matters raised by the honourable member, the trade mission that I am embarking on will promote Queensland's goods and services exports, especially in the livestock technologies and services sector. The Queensland government places significant importance on building trade and investment relationships with other countries. The purpose of this visit is to continue the work by the Queensland beef industry to promote its key role in world trade. As one of Queensland's primary assets, the beef industry continues to position itself as an international leader in the production and distribution of red meat.

This fact has been acknowledged by the international meat industry by selecting Brisbane as the venue for the World Meat Congress in 2006. Many of the participants at the World Meat Congress will also attend the Beef Australia 2006 event in Rockhampton. I intend to strongly promote these events in North and South America during my visit to the USA and Brazil as a strong attendance from these countries is expected. The mission will also create an opportunity to advance a number of trade initiatives established in these countries over the past two years, including two agribusiness missions led by the Department of Primary Industries and Fisheries.

In relation to the other issue raised by the honourable member relating to the victims of Dr Patel, the honourable member would be aware that when I was the health minister I visited Bundaberg with the Premier and met with those people. I again visited on another occasion with my parliamentary secretary and we visited the victims of Dr Patel in Bundaberg itself. Even on the day that I gave evidence at the commission of inquiry I met with Beryl Crosby and I think one other person who was there representing the victims.

I fully appreciate and understand the grief and the hurt that these people have gone through. I think I demonstrated that during my term as the health minister and when I was at the commission of inquiry. These people have been through a terrible time. Along with my government colleagues, I am committed to doing everything we possibly can to support them during this very difficult time.

Creative Industry Grants

Mr HAYWARD: I refer the Deputy Premier to the fact that this week the opposition, via a media release, has questioned the placement of creative industry grants, and I ask: is there any justification for its concerns?

Ms BLIGH: I thank the member for his question and for his interest in the development of creative industries in Queensland. The member for Kallangur is right: this week the opposition leader quite mischievously has released a media statement on State Development's creative industry grants. The headline of that media release is 'Labor seats showered with 98% of grants'. Quivering with glee, his statement goes on to say—

The numbers look very, very dodgy ... the whole thing stinks.

He adds—

There clearly needs to be an open inquiry into how these taxpayer-funded grants are decided and distributed, because more than half of all the grants were given to businesses in Peter Beattie's and Anna Bligh's electorates.

He rambles on—

Indeed more than a third of the twenty-five grants went to Peter Beattie's electorate ... and all others, apart from a \$61,000 grant to ... the Tablelands electorate ... went to Labor seats.

Not one grant was given exclusively to a business in a Coalition-held seat.

To save the state the expense of yet another inquiry into these matters, I present the House with two things to consider. Firstly, the Premier and I both represent seats that are part of the central business district of Brisbane. It is not uncommon for our seats to be the home of statewide organisations and it is not uncommon for our electorates to receive grants that are for statewide services and products. For example, the likes of the state's surf-lifesaving funding comes to a South Brisbane address. I have represented the seat of South Brisbane for 10 years, but I have never seen any surf there. The Premier's \$7,500 for the rural lobby group AgForce's photographic exhibition will be paid to AgForce's Brisbane CBD address, but nobody would accuse AgForce of being an inner-city organisation. It is a bit like the National Party; its own state secretariat's postal address is 37 Merivale Street, South Brisbane, although it is something I am not very happy about. Geographically, its closest state member is at least 80 kilometres away, but nobody would accuse the National Party of being a Brisbane oriented entity—far from it.

I understand that that is probably not a very convincing argument for the Leader of the Opposition. So the next logical question is: how many applications were received from coalition-held seats and, therefore, how many applications from coalition-held seats were knocked back? Not one! There was not a single application for any industry grant from any creative business in a coalition seat in Queensland. So if the Leader of the Opposition wants to have an inquiry, let us have an inquiry into why the best resourced and laziest opposition is not out there representing the opportunities that these grant programs do provide to businesses in its electorates. I say to the Leader of the Opposition: have an inquiry, by all means—into your own members.

Mareeba Hospital

Ms LEE LONG: I refer the Minister for Health to the fact that, once again, the Tablelands hospitals of Atherton and, more particularly, Mareeba are facing acute doctor shortages. Both of these hospitals are extremely important and service an area larger than Tasmania. In light of the extremely serious reports on the front pages of today's *Cairns Post* and other media about the imminent closure of Mareeba Hospital by this government, I ask: what is the future of Mareeba Hospital and what is the minister doing to find replacement doctors to ensure the current acute doctor shortage does not lead to any closure or downgrading of services, particularly at the Mareeba or Atherton hospitals?

Mr ROBERTSON: I thank the honourable member for the question. I can assure the member for Tablelands, as I can assure the constituents of her electorate, that there are no plans to permanently close Mareeba Hospital. The government remains committed to the continued delivery of health services through Mareeba. While there may be a need to temporarily reduce some services which from time to time are not able to be adequately staffed, there has been no decision—I repeat, no decision—made to withdraw services.

Mareeba, in common with many other rural and regional towns of Queensland, has difficulty from time to time in retaining and recruiting new staff. The hospital may have a shortage of medical staff in January and February. However, all efforts are being made to recruit staff to prevent this happening. In the interests of patient safety it is important for the hospital to plan for all situations, which has led it to discuss the options with staff and local GPs. That is what the document is—a list of options for discussion.

Recruitment efforts continue. The acting medical superintendent and the human resource manager at Mareeba Hospital are working almost solely on trying to recruit medical staff. The recruitment efforts for doctors at Mareeba Hospital look positive. The recruitment of three new doctors for Mareeba is under way out of a total of eight for the tablelands district. Their application for registration has been lodged with the Medical Board and they are in the process of organising their application for a visa, which cannot be lodged until they are registered. Doctors will start as soon as these processes are completed, which is expected to be early 2006. Registration is, quite rightly, a very rigorous process which is independent of government. It is neither possible nor appropriate for there to be any intervention to speed up the process.

The district is working very closely with local GPs and recruitment agencies in order to be able to maintain services. I thank the local GPs for their ongoing dedication to providing services. There is a small possibility that services would need to be reduced at Mareeba on a temporary, short-term basis while waiting for these new doctors to arrive. We of course will keep the community advised of any service changes. Let there be no doubt about our commitment to the people of Mareeba and the people of the tablelands. I only wish the mayor of Mareeba would follow the example of the member for Tablelands and raise these matters with me first before exaggerating the situation in the local press.

Health Services, Hervey Bay

Mr McNAMARA: My question without notice is also to the Minister for Health. Can the minister please provide examples of initiatives that are being undertaken to improve health services in the Hervey Bay region?

Mr ROBERTSON: I thank the honourable member for the question. In common with the member for Hervey Bay, I acknowledge the distress and uncertainty that recent events at Hervey Bay Hospital have caused. I also acknowledge that it is incumbent on this government to restore faith in the services that the hospital can offer the Fraser Coast community. I believe the best way to do this is to ensure that we do as much as possible to restore and upgrade services so that the people of the Fraser Coast can be proud of their hospital and confident in the services it offers. That is why I am pleased to provide examples of many positive initiatives that will benefit the people of Hervey Bay.

The region will benefit from immediate and ongoing funding injections to support and improve the services, including extra ongoing funding of more than \$2.9 million to relieve existing pressures. That is money this financial year and into the future to improve emergency, intensive care and other services. Our mini budget, delivered in October, also increased staffing for the emergency department and increased funding for cancer care, emergency department, intensive care, maternity and renal services.

It increased funding for clinical training and education, it increased beds to enhance the safe delivery of care and it provided additional staff in community mental health. In addition, \$1.5 million for the new nursing facilities at the Wide Bay campus of the University of Southern Queensland has been provided. This will form part of the next stage of the development of the Hervey Bay campus and provide a vital educational training hub for local young people interested in a career in nursing.

Additional appointments which are currently being made at the hospital include a psychiatrist, an obstetrician, a gynaecologist, additional nurses in the emergency department, medical and surgical services, and senior medical and principal house officers in emergency and anaesthetic. Many existing staff have also received training on a range of areas including upskilling of junior medical staff and advanced life support training for emergency department staff, and training for registered nurses to upgrade to rural and remote isolated practice endorsement.

A new \$5.3 million clinical centre is nearing completion to provide a wider range of outpatient services including stroke, rehabilitation, breast screening, ophthalmology and paediatrics. A new CT scanner has also been provided at a cost of some \$1.3 million. The Fraser Coast district is committed to ongoing improvement in services to meet the needs of its growing community. Like Bundaberg, the Hervey Bay Hospital has recognised the challenges and is moving ahead to restore confidence and improve services to the local community. We will not abandon the people of Hervey Bay and we will not let them down.

DISTINGUISHED VISITORS

Mr SPEAKER: Before calling the Premier, I welcome to the public gallery a delegation of Chinese trade unionists to Queensland.

VAN TUONG NGUYEN

Hon. PD BEATTIE (Brisbane Central—ALP) (Premier and Treasurer), by leave, (10.30 am): I move—

That this parliament notes the previous motion to oppose the death penalty imposed on Nguyen Tuong Van.

That this parliament expresses sympathy to the family of Nguyen Tuong Van, especially his mother Kim Nguyen.

That as a mark of respect for this young Australian man, hanged this morning in Singapore, and as a gesture of sympathy to his family this parliament observe a minute's silence.

In moving this motion, I want to say a couple of things. All my life—and I know this view is shared by many on my side of the parliament—I have been passionately opposed to the death penalty. One of the most horrific images that I have in my mind was when Barlow and Chambers were executed in Malaysia. After the execution, Chambers's body was laid out and all the local media turned up with cameras, and he had his feet protruding from under the sheet. It was one of the most horrific images that anyone could ever see of the brutality of capital punishment.

This state was the first state in Australia to get rid of capital punishment. I want to continue the tradition of Queenslanders who oppose it. This minute's silence gives us a chance to ponder the brutality of capital punishment. It also gives us an opportunity to think about his mum and his family. I know that there will be differing views about whether to have a minute's silence, and I respect those people who have a different view than I do on this. But I think an issue as fundamental as life and death should not go unrecognised by this parliament, bearing in mind that we are sitting on the morning of this execution. It does us no harm to pause for 60 seconds to think about his mum and to think about the senseless loss of a life through capital punishment.

I want to make it very clear: I have always had strong views against drug trafficking. Nothing I am saying or doing today in any way excuses Van Nguyen's behaviour in terms of drug trafficking, because it does create human misery. What we have to do is what I stated in my letter to the Prime Minister: try to get a prisoner exchange program with our neighbours and our friends. Singapore has been a friendly nation to Queensland and Australia for a long time. Their troops train in central Queensland. I have met their Prime Minister and I have met their senior ministerial leaders, as have many of my ministers. But, in my view, we have to get them to come up with a prisoner exchange program.

Every night we see what is happening in Bali. Every night we see Australians on the news. Undoubtedly, they should know better. I do not know how many times we have to tell people. They should know better than to engage in drug trafficking, but that does not justify the death sentence. We need to get a prisoner exchange program so that, if someone is sentenced in Singapore, Malaysia or any of those countries with the death penalty, they will serve the equivalent time in our prisons.

I want to make it clear that in the future if any Queensland citizen is caught in these circumstances—and God hopes there are none but we do have one at the moment—we as a government would be prepared to be part of a prisoner exchange program to have them serve their sentence here. I want to make this point: I hope that we can have this debate in a very dignified way. As

I said, I respect the fact that not everyone will share my abhorrence of the death penalty, but I think it would be unforgivable for us as a parliament, sitting this morning, not to take some action to recognise what has happened.

I know that we normally have a minute's silence to recognise those who have lost lives fighting on behalf of this nation, and that is an important part of the tradition of this country—

Mr Schwarten: Members of parliament, too.

Mr BEATTIE: And for members of parliament. We do that when one of our former members has passed away. Nothing I am doing today diminishes that. No-one should say that it does, because it does not. What we are doing is asking people to spend 60 seconds in silence thinking about the death penalty and thinking about this young man's family.

Hon. AM BLIGH (South Brisbane—ALP) (Deputy Premier, Minister for Finance and Minister for State Development, Trade and Innovation) (10.35 am): I second the motion moved by the Premier this morning. This motion calls on us as a parliament to pay respect to a young man who has just lost his life and to express sympathy to the family of that young man. I would hope that all members would be able to join together to support this motion.

It is inevitable that Australians will have very strong views on an issue like capital punishment, and it is inevitable that those views will not all be the same. It is not my intention to speak in any detail about capital punishment as part of this debate, and I would draw members' attention to the wording of the motion. The motion does not ask members to express a view about capital punishment per se, because it is inevitable that members here will have different views and they are entitled to those views. But there can be no doubt for any of us here that this young man's fate has genuinely touched the hearts and minds of Australians. I have watched this week as thousands have gathered in candlelight vigils. I have watched as church services have been held by all denominations, and many thousands have attended them. I have seen letters to the editor fill the newspapers of this country, heard talkback radio and seen people signing petitions, knowing that many are just saying a little prayer.

I am struck by the fact that many of those people who feel this issue so strongly and who have been watching this play out in some distress are parents. Many of them will be mothers and are watching Kim Nguyen's pain this week. Many of the parents who have been watching this issue will be reflecting on the many challenges and temptations faced by our own children, especially those of us who are parenting adolescents. I, along with every other mother in this country this week, have taken a moment to touch wood and hope that the shadow of drugs never crosses the lives of my sons or their friends. But I also know that but for the grace of God goes my family—one of my children.

Like every other parent, I expect my children to face the consequences of their actions, but the consequences in this case seem far too harsh and far too final. There are so many terrible tragic deaths that happen every day. It is probably reasonable that people would ask why we mark this one. There are terrible tragic deaths happening as we are debating this motion this morning. Some of those will be drug deaths. There are families in this country who are losing their children to overdoses while we have this debate, and we mourn those deaths just as we should any death, especially the death of a young person. So why do we mark this one? I think we mark this one because it was so utterly preventable.

The prevention of so many other deaths involves complex issues that are rarely in the control of any one person or in the control of a parliament. This young man's death could have been prevented by one decision made by one decision maker. I will be supporting this motion and participating in this mark of respect as one small way of recognising the life of this young Australian, as one small way of empathising with the trauma experienced by his mother and his family, and as a small symbol of the distress that is clearly being experienced by my constituents and by many in electorates right across Australia. We represent those people, and I do not think it is unreasonable, given that we are sitting, that we give some public expression to the distress that people are experiencing as they watch this play out this morning.

I will also be taking a moment to think about the scourge of drugs in our community and take a moment, during this minute's silence, to commit to redoubling my own efforts, the efforts of our government and the efforts of this parliament to do what we can to reduce the effect of drugs in our community and on the lives of far too many young Australians. I would call on members to do the same and to support the Premier's motion.

Mr CHRIS FOLEY (Maryborough—Ind) (10.39 am): I move—

That the motion be amended by omitting the third paragraph.

It brings me no joy to participate in debate of this motion. I am opposed to the death penalty, and I feel desperately sorry for the family of Van Nguyen, particularly his mother. However, I believe that it is an insult to the war heroes of Australia to afford a convicted drug dealer the same one minute's silence they receive. This morning I noted a cartoon in one of the southern papers that showed a drug addict lying dead on the ground with his mother over him saying, 'I didn't have a chance to hug him, either.'

I believe that this is a very serious matter but that we should not observe one minute's silence. I am very opposed to the death penalty. As a father, it brings me no joy at all to talk about the grief that this mother must feel, but I passionately oppose the observance of one minute's silence.

Mrs PRATT (Nanango—Ind) (10.41 am): I second the amendment moved by the member for Maryborough. I, too, feel extreme regret that a young man has lost his life. No-one should forget that the loss of this life is due to drugs and extremely poor judgment by this very young, inexperienced man. But it is because of drugs that he was in that position.

Mrs Nguyen has my deepest sympathy, as she would have from any mother, including every mother who has stood over the grave of their child who has died because of drugs. I also do not believe that it is appropriate to have a minute's silence for Van Nguyen.

Mr SPEAKER: Member for Darling Downs, please have some respect.

Mrs PRATT: I do not believe that he has been out of any of our minds. This is an extremely distressing time for everybody—every mother who has lost a child and everybody whose child has suffered in any way because of drugs—and it is an extremely distressing time for any mother who fears her children being offered drugs this very minute.

I can do nothing but offer my condolences to the family, but I cannot support the motion as it stands. I support the amendment moved by the member for Maryborough.

Mr SPRINGBORG (Southern Downs—NPA) (Leader of the Opposition) (10.42 am): Earlier this morning I had a discussion with the Premier about this matter. I respect his conviction and his opposition to the death penalty, and I have indicated such to him. Whilst we understand the feeling of the family and the issues at hand, we are not able to support the observance of a minute's silence.

This is a matter on which members of this parliament will have differing views for differing reasons. Probably the overwhelming majority of members of this parliament are against the death penalty. A number of issues are bound up in this matter. One is the issue of the death penalty and its use. Another is drug trafficking. Another is the family and the way the family would obviously be feeling this morning. Yet another is whether it is appropriate for this parliament to extend itself to standing for a minute's silence.

When the motion was presented to this place some 10 minutes ago I picked it up, I looked at it and I conversed with my colleagues. We quickly came to the view that we had no problem with the first two paragraphs. The issue in contention is the third paragraph. That is not because we do not respect or understand the feelings of the family but because we have some concern about the appropriateness, based on the way that a minute's silence is observed in this place and outside of this place.

I confess that the first thing I thought of this morning when I woke up just after 5 o'clock was that this young fellow had three hours to live. That in no way condones what he did. It has been reported that he was carrying the equivalent of 26,000 shots of heroin, that he has atoned for his actions and so on. But as the Premier also said when we had an earlier discussion in the place—I think it was in late October or early November—people know the rules in those countries. It is beyond me why someone would do those sorts of things and put not only themselves but also their family through the obvious consequences. I suppose we can never really know why people do those things. Maybe it is money. Maybe it is desperation. It may be for a whole range of other reasons.

A month ago in this place we clearly laid out our views, and we called for clemency. We expressed our concern about the use of the death penalty in this particular case and in other similar cases. Later today another motion will be debated in this parliament—I would suggest it will be passed unanimously—opposing the death penalty. We probably have appropriately dealt with the issue, but we cannot dismiss the way that people feel about this. There is a lot of emotion out there. Some people in the community will hold the view that a minute's silence should be observed; however, I dare to suggest that, when it all boils down and when this is analysed, the majority will not share that view. And that will even include those people who vehemently oppose the application and the carrying out of the death penalty in this case.

We cannot ignore the convention of the way we normally observe a minute's silence on those extremely significant and symbolic days in the history of our nation and also the way it is observed in this parliament for very tragic events, those principally involving innocent people, and more particularly for departed members of this place.

The opposition could support the first two paragraphs of this motion, but we cannot support the last paragraph for the reasons that I have outlined. This morning I have principally asked women about this issue, because I think they are probably a very good gauge of issues. I have asked a number of women, including my wife, what they think. My wife's feeling was obviously for the family. I looked at the clock at 8 o'clock this morning, as did a lot of other people. My wife's feeling was the same as mine—that it is tragic and terrible but that it should not necessarily be reflected on by a minute's silence. I raised the issue with a number of other women, and they said to me that they vehemently object to the death penalty but that they do not necessarily share the view that there should be a minute's silence.

As the Deputy Premier said, and rightly so, a lot of people have died in innocent and tragic circumstances. That will occur even today, and probably as we speak, but we do not observe a minute's silence for those people. I think we need to put this into context. Our view on the death penalty is one thing. The feelings that we have for the family of this young man are another thing. It is then another thing whether it is appropriate to then observe a minute's silence in this parliament, considering the way that the majority of Australians would normally observe a minute's silence on the likes of Anzac Day, Remembrance Day and very significant days such as that.

It is for that reason that I and my colleagues are not able to observe the minute's silence as requested by the last paragraph of the motion. However, if the motion were amended to omit the third paragraph then we would have no reservation in supporting the motion.

Mr QUINN (Robina—Lib) (10.48 am): Like every other member of this House who is a parent, I can scarcely comprehend the grief and anguish that the parents of this young man must be experiencing. I think every parent would sympathise with the parents and friends of this young man, and we have done so in the past in this chamber, formally by way of a motion. That is why I will be supporting the first two paragraphs. I think that is entirely appropriate.

Like many other people in this chamber, I have a view about capital punishment. I find it to be abhorrent—I believe it is final, leaves no room for error and is totally inappropriate in a modern society—but that does not mean that some countries around the world cannot use it. That is entirely their decision. I do not agree with it, but that is their decision and I respect that decision. For that reason I will be supporting the first two paragraphs of this motion but I think the third part is inappropriate on this occasion. The reasons it is inappropriate have been advanced by other people so I will not go through them again. Suffice it to say, I think it is a very sad occasion for the family and friends of this young Australian. I would not like to see it happen again, but those who do travel overseas should be fully aware of the laws and customs pertaining in other countries. That does not mean that we do not have great sympathy for the family and friends of this particular person.

As I said before, anyone who is a parent can easily identify with what is going on. Unless you have lost a son, daughter or close family friend you cannot begin to imagine the anguish, torment and grief that the family and friends of this young person are going through. Be that as it may, I think the third paragraph of the motion is inappropriate on this occasion and I will not be supporting it, either.

Hon. RE SCHWARTEN (Rockhampton—ALP) (Minister for Public Works, Housing and Racing) (10.50 am): I would like to compliment all who have contributed to this debate, because it actually reinforces why we should have a minute's silence. The very thoughtful contributions that people have made here are exactly what a minute's silence is all about. As the son of a World War II veteran who served with distinction in a number of theatres of war, I must disagree with the member for Maryborough. I speak on behalf of my father: he does not regard the one minute's silence as the province of returned soldiers or his comrades who lost their lives. I have discussed this issue with him many times: he regards the minute's silence as being a time to reflect on the horrors of war. So it is that a minute's silence today in this place should be used to reflect on the horrors of drugs and what it means to the families of people who push them and people who have them pushed upon them. The reality is that the minute's silence here today would be an opportunity for every member of this parliament to contemplate how it might be that they, in their most esteemed responsibilities, may well influence people away from that course of action.

None of us who are parents are in a position to point the finger of scorn at any other family or any other child. The reality is that this poor mother was denied something that every mother would want to have: the right to say goodbye to her son. I acknowledge that drugs do that. Brutally ending this man's life is not going to alter that one iota. As we speak, it is business as usual for the drug barons of the world who use hapless people like this fellow to take this dreadful cargo around the world. This man losing his life has not changed that. If anybody thinks that that is going to change it they are simply wrong. The death penalty does not change anything in our society except to reinforce brutality in our society. That is all it does and that is all this has done.

This motion is about respect. It is respect for the fact that in 1922 the Theodore government saw fit to take away the death penalty from this state. It is timely that we pause for a minute in this parliament and reflect upon the decision makers of that time and honour their contribution. It is timely that we have a minute's silence and we think about the anguish of all parents who are associated with drugs in any shape or form and, most particularly, the mother whose life drugs destroyed this morning at eight o'clock our time.

I think it is timely that this parliament use a minute's silence in the same way the rest of the community does for whatever event it happens to be: to pause and reflect for a minute and to remember. I hope that everybody will honour that here today. I support the Premier's motion.

Hon. PD BEATTIE (Brisbane Central—ALP) (Premier and Treasurer) (10.53 am): I agree with the Leader of the House in that we have conducted this debate in a very sensible, sober and sensitive way. That is a tribute to all members of the parliament. Basically, the third paragraph of the motion—and I say this to the member for Maryborough—is an acknowledgment; it is a mark of respect for the sanctity of

human life. That is what it is about. While I do not expect everyone to share my religious views, the tradition we have is to respect the sanctity of human life. When human life is lost we seek to pay respect to that passing in many ways. We have had in this place motions of silence for one minute. We do it on the 11th of the 11th every year if we are sitting; we have done it for the tsunami victims; we do it for members of this House who have passed away—and I know there would be some debate in some sections of the community as to whether those former members are entitled to a minute's silence.

The point is that this is not about one particular section of the community being the only one to which a minute's silence is assigned. Let me be very clear about what the third paragraph means so that there is no misunderstanding of it. The third paragraph is a mark of respect for the sanctity of human life, that is, for the life of the young Australian man who hanged this morning in Singapore. That is what it means. It is also as a gesture of sympathy to his family that this parliament observes a minute's silence. I take up what the Leader of the House said. The importance in relation to this is what you actually do and think about in a minute's silence. When we stand here and think about the diggers who served this nation we think about the sacrifice they made, not just about those who were injured and those who lost friends and loved ones in war. When we think about the tsunami we think about what happened to the victims of that terrible tragedy. When we have a minute's silence for former members of this chamber we think about their families and we think about the contribution those members made. This minute's silence gives us an opportunity to think about this man's mum. It also gives us an opportunity to think about the brutality of the death sentence and it gives us an opportunity to think about and celebrate the sanctity of life itself.

As I said at the outset, I do not expect everyone to share the same passionate view that I have against the death penalty—it is a view that I have held all my life—but I think we need to acknowledge it in some way. Yes, that resolution was conveyed to the Singapore government and the Prime Minister and I have received a reply from him in relation to the will of this parliament. Yes, we have all agreed in the past, but, frankly, there is nothing wrong with us standing for a minute just to reflect on the things that I have talked about. It does no harm. In fact, it does some good because I hope that our neighbours, that is, the Singapore government, the Malaysian government—our neighbours who have the death penalty—would think again. I hope that our minute's silence will send a message that perhaps we need to have a prisoner exchange program so that other Australians will not die in gallows overseas because, as we have said previously, Queenslanders have been in that position.

While I respect people's different views, the government is not prepared to accept the amendment to the motion that has been moved. I do that with as much generosity as I can. I am hopeful that we can vote on this in a sensible way and I hope members understand what I am saying when I say that. I hope that we can maintain the dignity that all members have demonstrated in this House: the Leader of the Opposition, the Leader of the Liberal Party, I and my ministers. I hope that we can conduct this next part of this debate in a very sensitive and constructive way.

As I said, there are some times when important matters of principle like this have to be demonstrated in a very visual way. When it comes to matters of principle, my view is you cannot compromise. I thank members for their contributions and I would urge them to support the motion as is.

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

AYES, 18—Copeland, Foley, Hobbs, Horan, Johnson, Langbroek, Lingard, Menkens, Messenger, Pratt, Quinn, E Roberts, Rowell, Seeney, Simpson, Springborg. Tellers: Hopper, Malone

NOES, 49—Attwood, Barton, Beattie, Bligh, Boyle, L Clark, Croft, Cummins, N Cunningham, Fenlon, Finn, Fouras, Fraser, Hayward, Hoolihan, Jarratt, Keech, Lavarch, Lawlor, Lee, Livingstone, Lucas, McNamara, Mickel, Miller, Molloy, Nelson-Carr, Nolan, Nuttall, O'Brien, Palaszczuk, Pitt, Poole, Purcell, Reynolds, N Roberts, Robertson, Schwarten, Scott, Shine, Spence, Stone, C Sullivan, Wallace, Welford, Wells, Wilson. Tellers: T Sullivan, Reeves

Resolved in the **negative**.

SPEAKER: Order! Any further divisions on this matter will be of two minutes duration.

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

AYES, 49—Attwood, Barton, Beattie, Bligh, Boyle, L Clark, Croft, Cummins, N Cunningham, Fenlon, Finn, Fouras, Fraser, Hayward, Hoolihan, Jarratt, Keech, Lavarch, Lawlor, Lee, Livingstone, Lucas, McNamara, Mickel, Miller, Molloy, Nelson-Carr, Nolan, Nuttall, O'Brien, Palaszczuk, Pitt, Poole, Purcell, Reynolds, N Roberts, Robertson, Schwarten, Scott, Shine, Spence, Stone, C Sullivan, Wallace, Welford, Wells, Wilson. Tellers: T Sullivan, Reeves

NOES, 18—Copeland, Foley, Hobbs, Horan, Johnson, Langbroek, Lingard, Menkens, Messenger, Pratt, Quinn, E Roberts, Rowell, Seeney, Simpson, Springborg. Tellers: Hopper, Malone

Resolved in the **affirmative**.

Honourable members stood in silence.

TERRORISM (PREVENTATIVE DETENTION) BILL

All Stages; Allocation of Time Limit Order

Hon. RE SCHWARTEN (Rockhampton—ALP) (Leader of the House), by leave, without notice (11.10 am): I move—

That under the provisions of standing order 159, the Terrorism (Preventative Detention) Bill be declared an urgent bill and the following time limits apply to enable the bill to be passed through its remaining stages at this day's sitting—

- (a) Second reading by 3.15 pm;
- (b) Consideration in detail to be completed by 3.29 pm;
- (c) Third reading by 3.30 pm; and
- (d) Long Title agreed by 3.31 pm.

If the stage has not been completed by the time specified, Mr Speaker shall put all remaining questions necessary to pass the bill, including clauses and schedules en bloc and any amendments to be moved by the minister in charge of the bill, without further amendment or debate.

Motion agreed to.

TERRORISM (PREVENTATIVE DETENTION) BILL

Second Reading

Resumed from 22 November (see p. 4068).

Mr SPRINGBORG (Southern Downs—NPA) (Leader of the Opposition) (11.12 am): At the outset, I indicate that the opposition will be supporting the bill before the parliament today. We are very grateful for the briefing which was provided to us a couple of weeks ago—before the bill was introduced into this parliament—by the Premier, by the Attorney and also by government officers. There are, however, issues that we need to be very cognisant of when it comes to passing through the parliament a bill such as this because potentially it can impact significantly on the rights and liberties of individuals. That always must be the supreme consideration of this parliament—that the action which we are taking to protect the broader community is more justifiable than any of the individual liberties which may be constrained as a consequence of the laws that we pass through this place.

Before I talk on some of the specific issues, I will talk about the matter of terrorism in general. 'Terrorism' is a word that we are seeing used much more today. We are also hearing it used much more today. It is in our vocabularies and in our minds more than it ever has been at any other time—at least since I have been alive on this earth. When I was a child, I do not think I ever heard the term 'terrorism' used. If it was used, it was used in relation to the IRA and it was something that happened at some place on the other side of the world which was far removed from our shores. Later, it became an instrument of those hijackers who were so predominant in the late seventies and the early eighties. Fortunately, those particular incidents now seem to be generally behind us.

Terrorism is extremely insidious. Even though—as individuals, if we think about it logically—there is probably only the most minute chance that any of us will be touched by terrorism personally, it is the psychological damage and the psychological threat that, for many of us, is probably even more supreme than the real physical threat. What I mean by that is the belief that we may become victims of terrorism or that somebody we love and cherish will become the victim of an act of terrorism. We know now that terrorism goes beyond something that can affect a few individuals or maybe 20 or 30 individuals; it can affect potentially thousands or tens of thousands of individuals. We saw that in the case of September 11 in the United States. Who can ever forget that particular time and the chain of events that it unfortunately set off. Then we had the Bali nightclub bombing on 12 October the following year. There were other bombings recently in Bali, which is closer to our shores than what happened in the United States on 11 September 2001 involving the Twin Towers of the World Trade Centre.

How do we fix terrorism? How do we stop terrorism? I am not sure that any of us has those answers. Certainly there are catalysts to terrorism; there are festering situations throughout the world which provide the root causes for terrorism. If we look at Osama bin Laden, and having heard some of his rantings in recent years, a lot of his motivation seems to be the conflict between Israel and the Palestinians. If we look at how that has been broadened out beyond that particular conflict—that border dispute in what seems to be a tiny part of the world that is no more than a dot on the map so many thousands of kilometres away from here and that resulted in September 11, which has been a part of the rhetoric of that person ever since that time—it just goes to show how personal hatreds and passions are generations old. They go back many times longer than our country has existed in its modern form since European inhabitation, not Aboriginal inhabitation. These issues and festering sores go back hundreds, if not thousands of years, and they are still manifesting themselves today. But, not only that, they are spreading out and attacking us and affecting us right throughout the world. That is something that many of us are having great difficulty in understanding. We are also having difficulty in understanding how to control it, how to contain it and how to actually fix it. I suppose the world's response has been very

predictable, particularly when one looks at superpowers. One takes several great big aircraft with lots of bombs and send them around the world. We know that modern terrorism is extremely sophisticated. It does not necessarily need the resources of a government. In actual fact, it is separate from the resources of a government because it can be independently funded, is independently resourced and it has a whole range of people who are absolute zealots and who attach themselves to that particular cause.

Let us take our minds back to the second world war when our nation was under threat, Europe was under threat and much of the free world was under threat. When that war was over, which was won by military might, those who were victorious and had the greatest of military might were able to force a surrender from the other side and then the victors went about carving up the spoils or—in some cases, to their very great credit—initiated a significant rebuilding program to make those nations the great nations they are today. Looking at Japan and Germany, the role of the victors after the war was paramount and quite significant in actually rebuilding those nations.

Regimes and ideologies can actually be defeated. If the strategy is built around expansionism, regimes and ideologies can be defeated. But terrorism is not necessarily based around that. It is based around hatred, it is based around a fundamentalist interpretation of religion and a distortion of what it means, and that cannot be defeated by traditional means, which I think has been shown in recent times.

In recent times the world has received a real wake-up call to look at the way in which it responds to terrorism. In Queensland we often hear a lot about looking at the causes of crime in order to address them, and that is very important. There are a lot of things we can do to address the causes of crime—addressing poverty, addressing dispossession and addressing the feelings of hopelessness that people have. We can address those things by giving people some hope, giving them employment, giving them an education and making them feel that they are worthwhile members of the community. Doing that can address the prevalence of crime. In economically prosperous times, the incidence of crime also falls because more people have more material things and the feelings of hopelessness and alienation are not necessarily there.

To an extent, that is also the case with terrorism. There are probably more deep-seated reasons why people become terrorists, but we need to understand better the reasons of dispossession, hopelessness, alienation and aggravation. I think the world community needs to do far more to try to come to grips with and understand those things, particularly in a non-military context. But then we would have to ask the question: how could we even negotiate with somebody of the ilk of Osama bin Laden and his cohorts?

The legislation today before the parliament seeks to enable our law enforcement authorities, those people who are charged with the responsibility of protecting the civilian population of Australia, with the opportunity to be able to do just that—to detect any harm or risk before it is manifested and then detain those people who threaten that harm to the community until such time as evidence can be gathered to the extent that the judicial system can make the appropriate response to the alleged threatened action. There has been a lot of discussion between the states, the territories and the federal government through the COAG process in recent times in an effort to ensure that we have a consistent response and a consistent capacity to deal with any potential terrorism threat anywhere in Australia. This legislation, by and large, achieves that. It is not perfect, but I am not sure how we can make it perfect.

I commend the Prime Minister and the federal government for their leadership in this matter. I also commend and acknowledge the state and territory premiers and chief ministers for their role in working cooperatively to ensure that we have an appropriate set of tools for our law enforcement authorities so that they can protect the Australian civilian community and, closer to home, the Queensland community.

I think it would be very wrong if anyone chose to make themselves some sort of hero out of this legislative response. This legislative response has grown out of adversity. It has grown out of necessity. It has grown out of our obligation as legislators in Queensland to ensure that we can do everything to protect our civilian population. That is the motivation behind this legislation and that is why we have to be bipartisan in our response to it.

This legislation sets up mechanisms for our law enforcement authorities, principally the police, to be able to respond if they believe a terrorist act is imminent. There is a range of ways that can be done. One is by application to a more senior officer within the Police Service—to assistant commissioner level—for an interim preventive detention order which could last for a period of 24 hours and maybe by application for another 24 hours. Following that, the appropriate judicial process will need to be put in place to ensure that a preventive detention order can be acquired for a period of no longer than 14 days. Hopefully that time—the initial 24 hours, or the subsequent 24 hours, or the subsequent 14 days—will ensure that the law enforcement authorities will have the capacity to gather the information necessary to prevent the potential terrorist threat and do what they have to do.

Of course, safeguards are needed—and there are safeguards contained within this legislation. The reason why these orders are necessary has to be demonstrated and sustained to a reasonable level. There is a role for the Public Interest Monitor. We know that the Public Interest Monitor has a

significant role with regard to government legislation which could impact upon the rights and liberties of individuals in Queensland, and that role has been operational for some years. The only point I raise is that, whilst we have a Public Interest Monitor and that person fulfils a role, sometimes we have to question within our own minds whether that is more about assuaging civil liberty concerns or concerns within ourselves that we are unduly impacting upon the rights and liberties of the community than what it actually achieves. I am not so sure that other mechanisms used in other Australian states are not equally as good. However, we have a Public Interest Monitor and we must ensure that that role is fulfilled.

Obviously, under this legislation a person over 17 years of age who may be detained has a more restricted sense of liberties than somebody who may be detained who is 16 or 17 years of age. If a person is aged 16 or 17 and has a disability, that person will be able to have an adult or guardian representing their interests for two hours a day. If a person is under the age of 16, that person cannot be affected by the legislation and so they cannot be detained. An adult over the age of 17 has far more restricted access to the outside world and to their family. Some people think that that seems to be somewhat over the top. However, when we look at the way that terrorists operate and the way that the networks operate, we see that it is extremely important that those people are contained as to who they can pass information on to and how that information can filter down the line.

There are penalty provisions in this legislation for releasing information about a person's containment in an unauthorised way, and I will touch on those provisions in a moment. The reason that people need to be contained, and contained in a way that we may not necessarily contain other people, is that once we have somebody in custody under one of these orders it is very important that word does not filter out to other people who may be associated with the networks that something has happened to them, thereby giving them an opportunity to go to ground or to accelerate their terrorist activity, whatever the case may be. That is why there is a level of secrecy. It is important. However, we must be very careful that we make sure that it does not lead to any potential abuses in particular areas.

Anything that fundamentally changes the way that we detain people or the way that we deal with people who have been detained is always potentially open to some form of abuse. Under this legislation, if a person releases unauthorised information to a person who they have had contact with, then there is a penalty of up to two years imprisonment. In the New South Wales context, I understand that it is unlawful to release unauthorised information but there is no penalty. In other Australian jurisdictions it is going to be unlawful to release unauthorised information, but there will be a maximum five-year penalty. We have struck a penalty of two years. I am not sure whether that is the best. I do not know whether five years is the best. I do not know what is the best. But two years imprisonment is what is in this legislation and it is there for a reason.

I raised this point with the Premier and the Attorney the other day. If a person is predisposed towards telling their mates information so that they can go to ground, it does not matter what the penalty is going to be because that person will probably do it anyway. Maybe some people would be deterred from relaying information if there were the threat of a two-year jail sentence hanging over their head. How New South Wales can argue that it is unlawful to release that information or tell the fate of a person who has been detained yet put no penalty in place really has me beat. That seems to be completely illogical. I think we have to have some form of penalty, and at least we have a penalty of two years.

There is also a five-year review that is set down and a 10-year sunset. I have a personal feeling that the review should be inside of five years because we are stepping into new territory here. Whilst nobody wants to see advantage being given to potential terrorists or terrorists in this country, I think we need to be very concerned if we pass legislation which may seek to restrict the liberties of individuals and put in place a regime which we have never seen and not review it for five years. I do not know whether that is appropriate. I believe that the review should be inside of five years and perhaps take place in two or three years.

It is interesting to note that the House of Commons passed legislation similar to this in recent times. I believe the Blair government was chasing 56 days preventative detention. After revolt from the government's own backbench members and also the opposition, it was settled at 28 days, as I understand. We are probably much more considerate of the rights and liberties of the individual and we have been more reflective of that in our legislation.

Mrs Lavarch: It is still preventative detention.

Mr SPRINGBORG: It is still a significant preventative detention measure. Nobody should be under any illusions.

Mrs Lavarch interjected.

Mr SPRINGBORG: It restricts liberties for a fair period. I think it is still reasonably tough; do not get me wrong. It has a reasonable balance. What happens when there is a preventative detention order? The authorities are going to have to get out there and they are going to have to get moving fairly quickly. They are not going to have the latitude of being able to sit around. I think there could potentially be a less interested, more lethargic and more compliant approach if it is much longer than that.

So it has a reasonable balance. The legislation is a reasonable balance. Will it achieve everything we hope to achieve? It has a greater potential to do it than what we have at the moment in this area, which is virtually nothing. We have to keep it under very close scrutiny, and that is something the opposition certainly will be doing, because of the range of liberties that can potentially be affected.

As I said, we support the very broad principles of the bill. We support the bill very generally. However, we do have some issues which we will continue to watch. I am sure that is no different to members of the government backbench as well who probably have some of the same issues—and even probably members of the cabinet as well. We will be supporting the bill before the House.

Hon. CP CUMMINS (Kawana—ALP) (Minister for Small Business, Information Technology Policy and Multicultural Affairs) (11.30 am): I believe this bill must be read in the context of Queensland's unified and cohesive culture. The Beattie government has worked hard to support multiculturalism and to promote the benefits of cultural diversity in communities throughout our state. Queenslanders are proud of our achievements and accept and welcome peace-loving people from all around the world. Queensland has an outstanding international reputation for being inclusive and welcoming, and we will continue to build on that reputation. Being an inclusive society enhances our trade relations, jobs, education and tourism. Multiculturalism is our way of life and will remain so.

In Queensland the Muslim community is as one with us on these matters. We have briefed Muslim leaders on this bill, and I thank the staff who assisted. I can reassure all members of the community that this government is very concerned about the wellbeing and safety of Queensland's Muslim communities, families and individuals. Muslims are valued members of the Australian and Queensland communities and we have a strategy of active engagement to continue to promote harmony and positive interaction between the Muslim community and the broader community. I commend the efforts of the Queensland Muslim leaders, including the President of the Islamic Council of Queensland, Abdul Jalal, and the President of the Islamic Women's Association, Faiza El-Higzi. They are fine human beings who are working closely with us on these issues we face. I thank them for their proactive involvement in addressing current issues in a positive and cohesive way. They are providing great leadership within their communities, and we respect and value their efforts. Queensland Muslim women in particular are working very hard to bring harmony in their communities and families.

Our \$700,000 Muslim community engagement strategy will build on the principles agreed to at the Prime Minister's August meeting with Muslim community leaders and will form the basis of this state's response to a national action plan. There are a number of key elements to our strategy. We are calling for expressions of interest from community based organisations to assist with implementation. A two-day multifaith forum will be staged in 2006, as will a media forum for editors and journalists. Peak ethnic community organisations in association with Islamic community organisations will be invited to apply to conduct the media forum. We will also produce resource material on Muslim communities for our wider community. Two youth workers will be employed over two years in 2006 and 2007. We will invite applications to manage these positions from the Islamic Council of Queensland, the Islamic Women's Association and other relevant organisations.

Multicultural Affairs Queensland will work with the Department of Communities to place the two workers in existing networks and ensure appropriate levels of organisational support. We will also provide two media training programs in 2006 and leadership training in 2007. In 2006 we will offer two rounds of small grants to communities to support youth activities and promote improved multifaith understanding. We will fund an open mosque program in 2006 and 2007 and we will form a Muslim community project steering committee with representatives from the Islamic Council of Queensland and the Islamic Women's Association, and this committee will guide the implementation of our government's strategy.

The two-year \$700,000 Muslim community engagement strategy will play a key part in our government's counter-terrorism initiatives. We will work constructively with federal government agencies, including the state office of the Department of Immigration and Multicultural and Indigenous Affairs, to ensure that we avoid any duplication between the state and the Commonwealth.

Muslim people have contributed to Queensland for decades. The Holland Park mosque, for example, was built in 1908. We do not want Muslims marginalised or to be on the receiving end of any vilification or racist acts as a result of the current climate of fear of terrorism. This bill is designed to safeguard the freedom of all people. It is not about religion or culture but about protecting all Queenslanders from threat and terror. I am sure all members would agree that it would be preferable if a bill like this was unnecessary. It is a sad indictment of the world in which we live that it is. We can only hope that our efforts to promote understanding, acceptance and mutual respect will challenge and help overcome the extremism and violence that compromise our enjoyment in life.

I lived in Malaysia, a Muslim country, for two years. I also lived and worked in London from 1989 to 1990. I worked in a Brixton hospital with a multicultural work force, including people from the West Indies, Pakistan, Punjab and India, Britain, Ireland and, of course, Australia. We can live and work in peace and harmony with respect; we must. What we have to remember here and in these current troubling times is our shared humanity. That is what sustains us in our families, in our workplaces, in our

communities and in our respective countries. In times of strife it is far too easy to forget that our differences unite us; they should not divide us. We need to remember that we are all brothers and sisters, fathers and mothers, friends and neighbours, whether it is over the fence or across an ocean. We need to remember our shared humanity and draw on its finer elements to overcome hatred and bloodshed and bring us together in peace and understanding.

I support the bill before the House and I commend the government for working with all Queenslanders to ensure peace and harmony in a tolerant Queensland society.

Mr QUINN (Robina—Lib) (11.37 am): Anyone who has had the opportunity to travel overseas quickly comes to the realisation that this is the best country in the world in which to live. Over 200 years we have had what I think is probably the second biggest immigration program the world has ever seen, second only to the United States. We have brought people from over 100 different countries into Australia. They have settled in this country. They have adopted our way of life, by and large. They have complied with our laws. Everyone who has come here has contributed to making this great nation what it is today. One of the great strengths of our society is that it has been built on an understanding that we are, indeed, a fun-loving, peace-loving people who, by and large, respect the law. That I think has sustained us for a long period. We have built our institutions on that, and that has meant that whenever we have disputes between us they are resolved at the ballot box; they are never resolved by guns or explosives. That is a very important distinction between this country and other countries around the world. If honourable members need confirmation of that they need only to turn on the television news of a night-time and see the stark distinction.

In order to protect the way of life we have built up over the past 200 years—and that is not to say that there was not a nation here beforehand—when this huge immigration program has taken effect, we need to ensure that in these troubling times we do have the correct legislative tools available to the proper authorities to make sure that we are not subjected to acts of terrorism in the future.

Our way of life is, unfortunately, under threat. That is the aim of terrorists in this world. They do not agree with the values on which we base our society, and it is an attack on our institutions and those values that is meant to undermine our very confidence as a nation and, indeed, as the state of Queensland.

As I have said before, we in this nation have enjoyed rights and liberties probably unprecedented throughout the rest of the world, and that has given us the confidence as a people to have great optimism about the future and to not be afraid to travel and to see other parts of the world. Unfortunately, as I said, these are troubling times and the laws that we are enacting today are meant to put in place a preventative regime, not a reactive regime. Mostly, when we think about the ways in which we change laws in this chamber, it is in reaction to a set of circumstances that we have found to be unacceptable. As a result, governments then move to change the law to make sure that those unacceptable circumstances cannot arise in the future.

What we are doing here today is to understand the lessons that other nations around the world have learnt and to make sure that we are properly armed to prevent those acts of terrorism some time in the future. So this legislation that we are debating today is very much a part of the preventative armoury that we are putting in place. Hopefully it will not need to be used, but if it is then our police and other authorities will have those weapons at their disposal.

Because we have always had a longstanding respect for the rights and liberties of individuals, we do not take too lightly when any government moves to curtail those rights and liberties. That curtailment should arise only in response to a real threat and an imminent danger. I think what we are doing here, as I said, is in response to that real threat and imminent danger. Where we are today has arisen out of a responsible response by the Prime Minister and all premiers coming together to understand the need to change the laws throughout all the states and the Commonwealth to make sure that we do indeed arm ourselves, as I said before. I commend governments at all levels for that response. It is timely and I think the people of Australia will appreciate it.

These are tough laws. In some ways they have been described as draconian laws. Depriving a person of their liberty for up to 14 days with very limited communication with the outside world cannot be described as anything else but draconian and very tough. However, they are offset by a range of reasonable measures and appropriate safeguards that we need to put in place. I think the government has adopted the correct approach in terms of making sure that there is a sunset clause which applies to these measures. Hopefully, the period we are going through at present will last only 10 years or less than 10 years. I would hate to think that this threat which we are currently facing could go on for 30 or 40 years. I would hate to see my children grow up in a world where this threat escalates. We want to see this as just a small portion of our history that can be dealt with appropriately by these laws. We want to remove these laws from our statute books after 10 years and restore in the future the full rights and liberties that individuals have in this state.

As I said before, I think these are necessary laws. I think striking a balance between the restrictions on our rights and liberties and the safeguards is appropriate in the circumstances. These laws have to be viewed in those circumstances. Hopefully, they will never have to be used in

Queensland. There has been, as everyone understands, one occasion in other states on which similar laws were used. Hopefully that prevented an act of terrorism. I think it would be a sad day in Queensland if our law enforcement authorities were forced to use these laws against citizens of our state. I think that would be a sad occasion. Although we are putting these laws into place, I hope they are never used. I hope that people who still call Australia home, whether they are born and bred in Australia or whether they are immigrants from other parts of the world, continue to come to this country, continue to respect our laws and continue to make a contribution that enhances our way of life, that improves our nation and our state, and that continues to build on the great tradition we have in making this nation the best nation in the world.

Mr McNAMARA (Hervey Bay—ALP) (11.44 am): I want to record my strong support for the Terrorism (Preventative Detention) Bill introduced into this House by the Premier. It is an essential piece of legislation and I will certainly be voting for it. I record my strong support, despite my previous working life as a criminal defence lawyer and despite my normal gut reaction which would be against mandatory detention and my strong support for essential principles of our law such as habeas corpus. Nevertheless, the highest and first duty of us as law-makers is to provide for the safety of our citizens. It is one of the realities of working in this place that most of the time the choices between us on legislation are not choices between right and wrong but between right and right. Today we support legislation which is essential to protect the rights of the citizenry to live in safety but which necessarily curtails some of the other privileges which we have become very used to in this country in terms of our normal freedoms.

As the member for Robina just noted, we have been very lucky in Australia in that we have not faced the scourge of terrorism as so many other countries around the world have over such a long time. People that I talk to in Hervey Bay note that it is a real shame that terrorism is sweeping the world. Of course, terrorism has been doing the rounds in various guises for a very long time.

Back in 1982 there was an IRA terrorist attack in London. Two bombings occurred on that day—one in Hyde Park and one in Regents Park. In the Hyde Park bombing the Household Cavalry was marching by and a bomb hidden inside a car exploded. Four cavalrymen and seven horses died, and 22 guards were injured. Less than two hours later, a bandstand in Regents Park exploded when a bomb beneath the stage was set off. Six bandsmen died, and 24 other bandsmen and four civilians were injured. That sort of terrorist attack has been going on in places like London for a very long time.

What we need to confront here today is not just the so-called war on terrorism but also what it is that we stand for. I do not think it is sufficient simply to say that we oppose terrorism because, yes, we do. What we should ask is what it is that we seek to defend. What are the values that we as a nation, as a population, seek to defend here? We should make this about us. We should make this an affirmation of our way of life and of the values that make this place, as the Leader of the Liberal Party just said, the best place on earth in which to live.

I was having a think about some of those values. After that bombing in 1982 in London, Roger Waters from Pink Floyd wrote a song called *The Gunners Dream*, which asked those sorts of questions. It is written from the standpoint of a soldier who is dying and reflecting on what the values were that he sought to defend in fighting this war. I will in a couple of moments read some of those lyrics into the record. I did not bring the guitar to the chamber, members will be pleased to hear. But the gunner, in dying and questioning what it was that he fought to defend, lists the following things—

... a place to stay
 enough to eat
 somewhere old heroes shuffle safely down the street
 where you can speak out loud
 about your doubts and fears
 and what's more no-one ever disappears
 you never hear their standard issue kicking in your door
 you can relax on both sides of the tracks
 and maniacs don't blow holes in bandsmen by remote control
 and everyone has recourse to the law
 and no-one kills the children anymore.

They are exceptionally good sentiments in terms of considering what we seek to defend from terrorism and the values that I hope we reaffirm today—a place to stay and enough to eat. It is not enough that we merely fight terrorism; we also need to fight those things that feed terrorism, such as homelessness and poverty, so that we do not see occurring here the riots that are occurring in France. That same sentiment lies in that line in the song 'somewhere old heroes shuffle safely down the street'. That respect for the dignity and the desire to give safety to our older citizens is essential.

This week in Rockhampton 84-year-old Vivian Falava was bashed in his own home. In passing this legislation today, I hope that we can all renew our commitment to not only protecting the elderly from bombs going off in bus shelters but also from criminals coming through their doors and belting them stupid in their own homes. That safety is part of this whole package that we have to have.

The line in the song 'where you can speak out loud about your doubts and fears' is particularly apposite because, regretfully, the federal legislation attacks that right to free speech at the same time as it compromises other liberties. While we are here today passing legislation that will increase the

likelihood of hearing 'their standard issue kicking in your door', it is incumbent on us to say that, while we recognise the necessity to restrict some of our liberties, we must ramp up those other safeguards that keep this nation the nation it is today and that which we seek to defend.

I hark back to the problems that are occurring in France at the moment. The drivers of terrorism are inevitably poverty, lack of access to health and education and homelessness. There is a line in the song that says 'you can relax on both sides of the tracks'. Today I hope that as a parliament we can reaffirm our commitment to equality of opportunity—to make sure that everybody has access to a decent education and the opportunities that this society offers which, as the member for Robina said, makes Australia the best place on earth to live.

Everyone has recourse to the law. Again, being mindful of today passing legislation that allows for incarceration without charge for 14 days, I am particularly concerned that as a nation and as a state we make sure that we resource legal aid and we make recourse to the law accessible. These are the concurrent values that must be associated with the passing of a bill such as this. Our citizens must have access to the law. That is particularly so at this time when we, as their law-makers, choose for their benefit to restrict some of their freedoms. These are essential balances. They are essential values that we defend more than anything else.

The last line that I quoted—the kicker in the song—'and no-one kills the children anymore', underpins everything we do today in passing legislation to make it just that much more difficult for people who would commit these atrocities to do so. Nevertheless, in passing this law we should take this opportunity to think just a little more broadly about child protection and about protecting children not merely from Muslim fundamentalist maniacs who may choose to let off a bomb somewhere near a school bus but to protect them from ourselves and recognise that most harm is done to children in this nation not by terrorists but by relatives—by people who know them.

If we do not put this legislation into the context of the sort of society we hope to defend and advance, then it becomes very narrow and very shallow. It becomes merely a tool for stripping away rights. The bill is not that, and I support the bill because it is not that. But I also support the bill in the context of the sort of society that we want to have and that we fight to defend. Rather than look at it from a terrorist's point of view, I look at it from our point of view: what is it that we seek to achieve?

The last line of the song says 'take heed of the dream', the gunners dream. I encourage all members today, as I do myself, to reaffirm our belief in the freedom and the integrity of the Australian compact, which is a place where people can speak out loud about their doubts and fears. With those few words, I commend the bill to the House.

Mr JOHNSON (Gregory—NPA) (11.54 am): In rising to speak to the Terrorism (Preventative Detention) Bill 2005 like many other members of the parliament, I hope that this legislation will never have to be enacted. Unfortunately, times are changing and we have to have this type of legislation.

This legislation had its genesis at the meeting of the state premiers and chief ministers with the Prime Minister on 27 September this year at which they agreed in principle to changes proposed by the Prime Minister and his federal coalition colleagues to the Commonwealth counter-terrorism laws. These changes were proposed in the immediate aftermath of the terrible bombings in London, which brought home the very real threat of home-grown acts of terrorism.

I commend the immediate response from the Prime Minister, the federal government and the state governments, who continue to show strong and resolute leadership to ensure that we would be as ready as possible to act on the threats posed by terrorism. As part of the changes at the COAG meeting, it was agreed that complementary legislation would be introduced by the states and territories. It is paramount that we have this conforming and complementary legislation providing for preventative detention for up to 48 hours, which is what is contained in the Commonwealth legislation. In line with other states and territories, Queensland has introduced legislation on preventative detention for up to 14 days to prevent an imminent terrorist act or preserve evidence following a recent terrorist act. I would like to see uniform federal, state and territory law. When we introduce and pass legislation of this magnitude in the common cause of protecting society, it must be uniform legislation. I put to the House that as my personal view.

Essentially, this legislation will provide the necessary powers for the Queensland Police Service, the Department of Corrective Services and the Department of Communities to take a person into custody under a preventative detention order despite the relevant acts that are responsible for these organisations. These abhorrent acts threaten the freedoms and way of life we enjoy in Australia. Whilst some members opposite may ridicule and play down the need for these changes, this legislation is an absolute necessity. As members of parliament representing the people of Queensland, we are responsible to ensure that the relevant authorities are armed with the powers they need to ensure that everything can be done to prevent these acts of terrorism occurring.

I remember well the night of 11 September. I think everybody in this House does. I can remember the motions that were moved in the House the next day by the Premier and were seconded by the Leader of the Opposition. I remember seeing members walking out of this chamber. Some of the women

leaving the chamber had tears running down their faces. I think remembering September 11 is a stark reminder that such a thing could happen in Australia. Hopefully, it never will happen. We have witnessed what happened in Bali. We have witnessed what happened in Madrid where Australian lives were lost. We cannot be complacent about these things. Sometimes we have to be tough. We have to be cruel to be kind.

I heard what the minister for small business and multicultural affairs had to say about his experience of working in a multicultural society in London and in other places overseas. Yes, we are a multicultural society. We are a very tolerant society, but we are not going to tolerate this criminal element. The people involved in that crime do not have a front line. They do not value life the way we do.

I heard the contribution of the member for Hervey Bay. It was a very good contribution. I reflected on some of the things he said. We have to make our society more understanding and more aware of the good things that we have. We have to take that element of greed out of society and share the good things in life. The member mentioned education and good health services. I think that is what it is all about: equality.

We can make things happen, we can make it a better place, but we have to make it a better place by making people understand that we have to be tolerant of each other's religious beliefs, the colour of a person's skin, the dialect of a person's tongue and where they came from. I think that is applicable to all of us. If we are going to be a successful multicultural society in Queensland and Australia we have to make certain that all citizens uphold the law regardless of who or where they are. That is why it is unfortunate that we do have to introduce this legislation.

As recent investigations and actions of our professional police forces, the Australian Federal Police and ASIO operating in Victoria and New South Wales, has shown, we would be naive to think that an act of terrorism could not happen here and affect the everyday lives of Queenslanders. Already it has affected the Balinese. Unfortunately that is why we have this legislation before us today.

The bill also authorises the detention of persons for one of two purposes: preventing an imminent terrorist attack or preserving evidence relating to a recent terrorist act. Confidentiality is paramount in these sensitive investigations. Initial preventative detention orders can be issued for up to 24 hours, including extensions, by a senior police officer, assistant commissioner or higher. Final preventative detention orders can be issued for up to 14 days, including extensions, by a serving or retired Supreme Court judge. A preventative detention order to prevent an imminent terrorist attack can be issued if there are reasonable grounds to suspect that the detainee will do or has a thing connected with an imminent terrorist act. The order would substantially assist in preventing the act, and detaining the person is reasonably necessary for the purpose.

Again it is paramount for community and national safety. A preventative detention order to preserve evidence of a recent terrorist act can be issued if the officer or a judge is satisfied on reasonable grounds that a terrorist act has occurred and that the detention is necessary to detain the person and to preserve evidence. As the Premier states in his second-reading speech, the bill contains a number of safeguards, some of which are to be applied and conferred differently in Queensland in comparison to other states, territories and the Commonwealth. These include the Public Interest Monitor to appear not only when the judge hears an application for a final order but also when a senior police officer hears an application for an initial order.

While we acknowledge and respect the role of safeguards in legislation of this nature, they cannot be used as a way of getting around the intent of these laws and preventing an officer doing what is the right course of action in a situation which could pose a real threat. Queensland has the broadest family contact provisions and I reiterate that it is paramount that we make absolutely certain that confidentiality is a prime factor in that aspect.

A number of key issues have been raised by the Scrutiny of Legislation Committee: why the bill provides for a maximum period of detention without charge or trial under a final preventative order of 14 days, which is different to the 48 hours under the Commonwealth provision, as I stated earlier; why a 10-year sunset period is appropriate; what is the basis for this time frame and how it compares with the sunset period introduced by other states and territories; whether the 10-year clause accounts for what could well be an ever-changing security environment and whether advice has been sought from ASIO, Australian Federal Police and the Queensland Police Service; and what checks are in place to ensure that, when the act expires, existing orders that need to be maintained in Queensland would not cease immediately or be exposed to other such loopholes.

Telephone interception powers is another issue I want to address today. This has been an issue that the opposition has canvassed long and hard over a long period of time. We believe that it is essential to give our police the tools to give them the edge and to put them at the forefront of crime detection and ultimately crime prevention. Towards the end of the Premier's second-reading speech he spoke of the government reviewing existing legislation early next year as part of its counter-terrorism action plan. I would encourage the Premier to introduce telephone interception powers to provide Queensland law enforcement bodies—that is, the Queensland Police Service and the Crime and Misconduct Commission—with the same powers other states have been operating with for several

years. Year after year the Queensland police and the Crime and Misconduct Commission request these powers which were first recommended in 1999. We are now six years on and this government is still sitting on its hands on this issue. I do not think that the government can sit on its hands and put our police officers behind the eight ball in relation to crime detection and crime prevention.

Currently telephone interception in Queensland can only occur through joint operations with agencies such as the Australian Federal Police, the Australian Crime Commission and other state agencies. It is a ridiculous and unworkable process for Queensland when our important requests have to compete with the priorities of federal agencies and it takes away important time and resources to focus on cracking crime in this state. At the same time, it is a very embarrassing and compromising situation for our police. I know that there are terrorist powers that this legislation will enact, but I think that those powers should be there at the forefront. I appeal to the Attorney-General to discuss and openly canvass this with her cabinet colleagues. As I said in the earlier part of my address today, terrorists do not have front lines. They have technology available to them. We have to only see what happened as a result of September 11 and other events since. We have to equip our police so that they can be at the forefront. It has been said before by numerous members on this side of the House that it is a crazy situation when all other Australian law enforcement agencies can listen to criminals having conversations in Queensland but this state's police cannot. They must have uniform laws in these situations. We have a great Police Service and we want to keep it that way.

I commend this piece of legislation to the House and in doing so I hope that it will never, ever have to be enacted for the reasons that the legislation has been put in place here today.

In the half a minute that I do have available to me, as it is the last day of sitting for 2005, I take this opportunity in my last speech in this House this year to convey to you, Mr Deputy Speaker, to Mr Speaker and to all members of this parliament a very happy and holy Christmas and I trust that 2006 will be a very successful and fruitful year for all.

Mr DEPUTY SPEAKER (Mr Wallace): I ask honourable members to welcome into the gallery the former member for Cook, Mr Bredhauer.

Hon. J FOURAS (Ashgrove—ALP) (12.07 pm): I rise to speak in opposition to the Terrorism (Preventative Detention) Bill 2005. The phrase 'people being made to disappear' is a phrase relevant to oppressive totalitarian regimes. A song by Peggy Seeger has the following verses—

Today the soldiers took away one,
 Tomorrow they make take away two,
 One April they took away Greece
 But surely they would never take you.
 So close your eyes and stop your ears,
 Close your mouth, take it slow,
 Let others take the lead and you bring up the rear
 And later you could say you didn't know.

This song was written in 1968—a year after the Colonels set up their dictatorship in Greece. During this dictatorship my brother Andreas, who is currently a member of the Greek parliament, intended to go with two friends to visit George Papandreou, the leader of the socialists who was being held under house arrest. My mother, who the previous night had had a bad dream, urged him not to go. He insisted. She walked him to the Patras Railway Station and as he was boarding the train with his two friends she ripped the shirt off his back. Consequently, he could not go. Both of his friends were arrested outside Papandreou's home in Athens.

Some five years later, when the junta fell, one of his two friends was found in a jail having suffered horrendous torture. The other friend was never again sighted. He had 'been made to disappear'.

During this dictatorship in Greece my brothers, Andreas and Michael, were taken from their beds in the middle of the night by the secret police. They also were 'made to disappear' for five days. My mother was traumatised because she did not know what had happened to them. I have no doubt that my brothers would see the legislation we are debating today as having the propensity for 'people being made to disappear'. That we live in a time of legitimate concern about the risk of terrorism is undeniable. The challenge, however, is to recognise this danger, understand how serious it is, keep our equilibrium and respond effectively. Peggy Seeger's *Song of Choice* infers that we can choose not to close our eyes and stop our ears, nor close our mouth and let others take the lead.

In an era of declining social capital, people are becoming increasingly disengaged. Social networks which build values such as trust and norms of behaviour, treat people with dignity and show concern for the disadvantaged are in sharp decline. Sadly, too few people care for 'the other'. Citizens in a democratic society should not be fearful of proper and comprehensive debate, particularly on laws which the law-makers themselves describe as 'draconian'. In Australia we have not had this debate. Even as long ago as 1759 Benjamin Franklin said—

They that can give up essential liberty to obtain a little temporary safety deserve neither liberty nor safety.

Today this parliament is being asked to pass legislation to override our Constitution and deprive people of ancient legal protection from arbitrary arrest and imprisonment without trial. But is this legislation necessary? I think not.

Terrorism has been a serious problem for the West since the 1960s, and I want to give the House some statistics. Over 800 people have died in Spain as a result of Basque terrorists. Several thousand people have died in Ireland. In 1978 alone there were 2,498 terrorist attacks in Italy. In 1995 in Oklahoma City 165 died and 800 were wounded. From 1980 to 1999 there were 457 terrorist attacks in the US, mainly by Americans on Americans. From 1968 to 2000 there were 14,000 terrorist attacks in the world leading to more than 10,000 deaths—before September 11. It is widely accepted that current terrorist acts are aimed at destabilising the West to make those societies targeted look over their shoulders with fear and chronic uncertainty. If this uncertainty leads to the removal of legally guaranteed individual rights and if this uncertainty leads to the discouraging of debate by deeming it unpatriotic, the terrorists have won. As I said previously, the challenge is to recognise the danger, keep our equilibrium and respond effectively.

On 27 October 2005 ABC's *Lateline* released the results of a survey of 25 experts in the fields of intelligence, counter-terrorism and security policy. This group included people recently retired from the most senior levels of police, defence and intelligence services. They were asked two questions: firstly, do you think the proposed new antiterror laws are proportionate to the terrorist threat to Australia; and, secondly, do you think the proposed new antiterror laws will help deter and prevent terrorism inside Australia? In short, will the proposed legislation be proportionate and will it be effective? Alarming, only nine out of 25 said that the proposed legislation was proportionate and even fewer—eight—said that it would be effective.

What does this tell us? Even the experts do not believe that the proposed laws will be either proportionate or effective. Firstly, on such a nationally vexatious issue there should be more compelling agreement on an effective approach to combating terrorism before we proceed to such legislation. As observed, barely one-third of experts surveyed thought that the proposed legislation was either proportionate to the threat or effective. This degree of disagreement with the proposed legislation from a panel of recently retired senior government officials is not good for the credibility of either the state or the federal government's position.

More detailed interrogation of the survey highlights that it is the intelligence community experts who almost unanimously agreed that the proposed legislation will be neither proportional nor effective. I repeat that: the intelligence community experts in this survey almost unanimously agreed that the proposed legislation will be neither proportional nor effective. Why is this important? Because it erodes the argument that the intelligence exists to support increasing police powers. To increase police powers without this invites abuse.

Secondly, it is clear from the broad-ranging criticism from legal, human rights and now intelligence and security sectors that there has been little consultation on the proposed legislation. It is expected that there are some security-in-confidence issues which must be considered when assessing the strength of the requirement for this legislation. But there has barely been consultation outside the inner sectors of state and federal cabinets in the development of this. On such a significant piece of legislation for Australia, the political debate has been slow and piecemeal.

A final observation is that the surveyed experts noted that such legislation could be counterproductive in generating further discord in sections of the community and that the increased powers may only be effective after the event. These criticisms just add weight to the need for further dialogue on the legislation and a coordinated approach to combating terrorism which is not born of political manoeuvring and point scoring but which has a strategic end state which addresses the antecedents for terrorism. This is not to be an apologist for terrorists; it is to acknowledge that there are social, economic, cultural, political and religious catalysts for terrorism and that Australian governments must look at domestic and international policy to fully address why we believe we are a target for terrorism.

This legislation represents both federal and state governments choosing a dangerous way to combat terrorism—one which sacrifices basic rules of law, one which will marginalise sections of the community, one which places an unprecedented amount of power in the policing and intelligence agencies of Australia, and one which is not supported by intelligence, policing and security experts. Australia is in danger of slipping into a lazy approach to combating terrorism—one which gives more powers to police in the absence of success using existing policing powers, and one which is less accountable and less transparent to public scrutiny.

The fight against terrorism must look to neutralise an unconventional threat which is not bound by the rules of law or armed conflict. These laws do not represent an approach which seeks an unconventional solution but, rather, they only expand an existing approach which has limited success. Before the federal and state parliaments strengthen the existing laws—which, by the way, proved adequate in the recent arrests of 17 alleged terrorists—by removing vital protections for human rights, the public deserves to be provided with an assessment of whether the proposed measures are proportionate to the threats that the new laws seek to counter. The passing of these laws will reflect upon us as a society more than we can fully appreciate now.

Former Chief Justice of the Family Court Alistair Nicholson has said that our leaders have managed to undo liberties that have stood the test of time in our community for hundreds of years in the name of defeating terrorism. He has said that judicial review provisions in the planned security legislation, which includes power to detain without charge, is meaningless because the judge or magistrate concerned has no way of testing what is produced by the authorities. Former Chief Justice Nicholson also said that any judge who has had experience of authorising telephone tapping or the use of listening devices can testify that this is no safeguard and that the judge is little more than a rubber stamp.

A number of my constituents have asked me to explain exactly what the new powers are for, why they are needed and what the problem is that they are trying to fix. I cannot respond with adequate explanation, and this is most unfortunate. What we are seeing is manipulation and distortion of information provided to the public to promote fear of terrorists in an attempt to justify unjust laws. Under existing law, membership of a terrorist organisation or any act of planning or preparation for a terrorist attack is a criminal offence. If there are activities clearly related to terrorism which are not covered by the Criminal Code, we can simply amend the Criminal Code to make these activities illegal. We can just amend the Criminal Code to do that. In May 2005 Mr Richardson, the former head of ASIO, said before a parliamentary all-party committee reviewing ASIO's questioning and detention powers—

I would note the legislation has worked very smoothly so far ... we debated among ourselves whether the compromises (forced on the Government by a hostile Senate) would make it unduly complex. Our concerns were misplaced ... the balance has so far been very workable.

I repeat: concerns were misplaced and legislation has been very workable—May 2005. Arrest and detention should not be based on hearsay gathered by spies. John Howard believes that the best weapon in the fight against terrorism is intelligence. He is absolutely right. Over the next five years ASIO—with a budget already tripled since 11 September 2001—will increase recruits by 900. They will be trained to gather that intelligence. However, intelligence is not evidence. They have different disciplines and different purposes. Intelligence lives in the shadows. It is used to warn. Evidence must survive court scrutiny in the ordinary light of day because it is used to punish.

The Queensland Law Society's submission to the Senate expresses concern at the potential for misuse by zealous officials against individuals who have not committed any crime. Their submission also states that the bill creates a system of detention based on information that cannot be effectively challenged. That is the basis of my disagreement with this—information that cannot be effectively challenged. The whole concept of judicial review is a fraud. It is not a system based on evidence that is tested in judicial proceedings. People can be detained on the basis of flawed intelligence or false claims by malicious accusers. There are inadequate safeguards to prevent detention orders in such cases in the first place, and no realistic scope to change them once they have been made.

Tony Fitzgerald has stated that, contrary to international democratic norms, there are almost no restrictions on government power in Australia. The executive government effectively controls parliament and, subject to very limited exceptions, is able to have it enact unjust and undemocratic laws. He also said that Australian courts are little concerned with democracy or justice. Judges who manifest professional interest in such issues are stigmatised as judicial activists who are unsuited to appointment to the High Court, which insists on—and I quote—

... acceptance by the courts that an act of parliament is binding upon them and cannot be questioned by reference to principles of a more fundamental kind.

Australia is a signatory to the UN Convention on Civil and Political Rights. This convention forbids indefinite detention; however, it is not Australian law. The High Court decided by a majority of four to three that failed asylum seekers who have nowhere to go and who pose no danger to the community can be kept in immigration detention indefinitely. This underlines the proposition that basic freedoms for people within Australia's jurisdiction are not adequately protected.

Thomas Jefferson said in his inaugural address—

Though the will of the majority is in all cases to prevail, that will to be rightful must be reasonable ... The minority possess their equal rights, which equal law must protect, and to violate would be oppression.

Australia is looking to copy new powers such as control and preventative detention from the UK without the UK's most important safeguards. Britain's law is read in light of its 1998 Human Rights Act, which sets out the basic standards of liberty that are needed for a democracy. As the House of Lords—its top court—demonstrated last year, the act can be a powerful tool in ensuring that terrorism laws do not undermine the very values which they are meant to protect.

Democracy also involves an effective separation of powers. An independent judiciary ensures that neither the legislature nor the executive government abuses its powers. John Howard has arrogantly responded to the state premiers' concerns that the antiterrorism laws breach the separation of powers and therefore would not withstand a High Court challenge by saying that he would take his chances with any constitutional appeal to the High Court. He said he would take his chances on that and nothing was said by the premiers.

The Queensland Law Society argues that laws such as those in the bill infringe many of the necessary institutions Australian society has developed for the preservation of our free and tolerant society. They say that this bill truly represents a 'crossing of the Rubicon' from which it will be difficult to retreat. The bill, and the arbitrary conduct that it will permit, will further alienate minorities in this country and thereby aggravate the problems of security for all Australians; it will not solve them.

I find these arguments most compelling. The Howard government argues that the new laws are essential because the London bombings in July showed that we face a new risk of home-grown terrorism. Detention powers like the ones proposed in our new laws would not have helped the British police stop the London bombings because they had not identified the individuals involved as significant terrorist risks.

In opposing this legislation I am clearly stating that I do not support—I repeat, I do not support—the decision taken by the Labor premiers who agreed to assist the Commonwealth to circumvent one of the fundamental human rights protections contained in the Australian Constitution. The Labor premiers have agreed to legislation they deem as draconian without explaining to their constituencies the need to amend laws which in May this year the former head of ASIO said were adequate. So much emotion has been whipped up over terrorism that they are afraid to oppose. They live in fear of recriminations should a terrorist attack happen.

I will conclude by again quoting Tony Fitzgerald in an article titled 'Unjust laws an abuse of power'—

Having aggressively invaded another country that presented no threat to us and, in doing so, increased our exposure to terrorism, politicians now promote fear of terrorists in an attempt to justify unjust laws. The same tactic has been used previously; for example, to justify the internment of refugees, including children. Like apathy, fear is an enemy of democracy.

I reiterate: 'Like apathy, fear is an enemy of democracy.'

Mrs ATTWOOD (Mount Ommaney—ALP) (12.26 pm): I rise to support this antiterrorism bill because I believe that we need this legislation as a deterrent to a horrible act of terrorism occurring in Queensland. If we can do anything to stop the devastation caused by terrorism, I think that we should, within reason, pull out all stops to do this. I am cognisant of the fact that a number of my constituents were concerned about the introduction of a new counter-terrorism initiative in relation to the counterargument which centres around the aspect of our democracy and civil liberty issues, and our Premier has taken appropriate steps to address these matters. Notwithstanding this, of prime importance here is the safety of all Queenslanders and the rights of all Queenslanders against a devastating act of terrorism.

Terrorists know no bounds. On 27 September 2005 the Council of Australian Governments—COAG—agreed that, after careful consideration of the evolving security environment, there was a clear case for Australia's counter-terrorism laws to be strengthened to ensure community safety and preservation of our lifestyle and our life while balancing the rights and liberties of individuals. For this reason, COAG agreed that any strengthening of counter-terrorism laws must be necessary, effective against terrorism and contain appropriate safeguards against abuse such as parliamentary and judicial review, and be exercised in a way that is evidence based, intelligence led and proportionate.

The premiers and chief ministers have agreed to support the implementation of the Commonwealth Anti-Terrorism Bill which has been passed by the House of Representatives. This agreement was based on assurances from the Commonwealth government that it was essential to implement the new counter-terrorism measures as soon as possible in order to meet the challenges facing our security and law enforcement agencies. The alarming speed with which this bill was conceived and introduced is an unfortunate product of the unusual and extreme circumstances facing the nation in relation to increasing terrorist attacks around the world.

The Premier has publicly stated on several occasions that the measures to be implemented by the Commonwealth bill are draconian and, for that reason, has continued to insist upon the inclusion of safeguards against abuses which could endanger fundamental civil liberties. The foremost of these safeguards is access to judicial review. Members will see from the revised bill introduced into federal parliament on 3 November 2005 that the Premier, along with other state premiers, was successful in obtaining a merits based review of continuing preventative detention orders by the Administrative Appeals Tribunal and a full judicial review of Commonwealth preventative detention orders by state courts where a state preventative detention order is substantially sought.

Our Premier fought to secure the additional safeguard of the participation of the Public Interest Monitor in relation to control orders over Queensland residents and applications for control orders heard in Queensland. The safeguard of the PIM will apply above and beyond the safeguards applying in other states and territories. This means that in Queensland the PIM will appear before judges on the hearing of applications for these orders to balance the case being put by the applicant and to ensure the rights of the individual subject to the application are upheld. The PIM will be able to question witnesses and make submissions to the judge on the appropriateness of the order being sought.

For several years the PIM has ensured that Queensland police and the Crime and Misconduct Commission officers comply with laws dealing with applications for covert search warrants and surveillance device warrants. Queensland is the only jurisdiction in Australia with the additional safeguard of a PIM. Our Premier agreed at COAG that Queensland would also introduce new laws to deal with preventative detention as soon as possible. He is very aware of the necessity to ensure that there are tough checks and balances in place, such as the right to judicial review and the appearance of the PIM at hearings, to safeguard the rights of innocent people.

Last week the government consulted with appropriate parties and conducted personal briefings with leaders of the Muslim community, legal and civil liberties groups. These groups were asked to make a submission to government on the bill. The opposition has also been personally briefed and invited to comment. The safeguards that the Queensland government has guaranteed for detainees have been strongly supported.

The Terrorism (Preventative Detention) Bill 2005 delivers on the Queensland government's commitment to the September COAG meeting to introduce laws to complement proposed Commonwealth laws. The bill gives police power to detain a person without charge to either prevent an imminent terrorist act or prevent the destruction of evidence of a recent terrorist act. Detention can only be ordered by a senior police officer, the assistant commissioner or above, for up to 24 hours or a serving or retired Supreme Court judge for up to 14 days. These laws will ensure that where police have information about imminent terrorist acts but do not have enough evidence to arrest and charge for specific offences the would-be terrorist can be taken out of circulation for a limited time.

Australian governments have put political differences aside on this very important matter. This government, however, has taken some hard decisions in relation to this bill which seek to balance our tough response to the threat of terrorism against appropriate and proportionate protection of civil liberties. The safeguards include a maximum detention of 14 days. The Public Interest Monitor will be involved in hearing applications to ensure that police officers comply with the legislation. The detainee will be informed of, and be entitled to appear on, the hearing of an application for a final detention order. Police will not be able to apply for successive detention orders on the same grounds unless fresh evidence becomes available. The police officer will have to read the detainee their rights and give him or her a copy of the detention order and a summary of the grounds on which it is made. The commissioner or deputy commissioner of police must appoint a senior police officer who was not involved in obtaining the order to oversee the detention.

The detainee will be entitled to contact a family member, his or her employer, one of his or her employees, one of his or her business partners and any other person the police officer approves, subject to any prohibited contact order. The detainee will be entitled to contact the Crime and Misconduct Commission and the Ombudsman. The detainee will be entitled to contact a lawyer, including for taking court action about the detention order or the detainee's treatment under it, subject to any prohibited contact order. A detainee under 18 or of impaired capacity is entitled to two hours contact per day with a parent, guardian or other person to protect his or her interests. A detainee under 18 or of impaired capacity will be visited by the Department of Communities or Disability Services Queensland to protect his or her interests. The detainee must be treated humanely in accordance with international law. The detainee must not be questioned while detained under a state detention order.

A police officer or anyone else who contravenes certain safeguard provisions can be imprisoned for up to two years. Police must apply for revocation of a preventative detention order or a prohibited contact order if the grounds on which it was obtained cease to exist. A detainee may apply to the Supreme Court for variation or revocation of the preventative detention order at any time. There will be an automatic review by the Supreme Court after seven days if the detainee does not apply for one. I commend this bill to the House, and I commend the safety of all Queenslanders to this House.

Mr McARDLE (Caloundra—Lib) (12.34 pm): In rising to speak on the Terrorism (Preventative Detention) Bill today I say at the outset that it does not give me pleasure to do so for the simple reason that the fact that this House is debating the bill means that once again the freedoms and institutions of this country are under threat, as they have been in the past, particularly in the last century. During World War I and World War II there was very draconian legislation passed in this country to ensure that we continued to operate and defend the rights and liberties that we held so dear. We are in a war at this time: we are in a war against terrorism. It is a war, though, in a different sense in that we are not fighting with conventional weapons. We are not fighting with what we have come to know as conventional tactics. We are fighting fear. We are fighting a system of terrorism that is trying to strike at the very heart of who we are and what we stand for.

Back in the 1970s and 1960s I can recall reports of the Baader-Meinhof terrorism organisation, the red brigade, and other such organisations. But they are quite distinct from what we face today. Terrorism today draws upon a much wider base. It is much better planned, it has a wider target and it is also financed world wide. If we consider the names of the cities that have been impacted upon—New York, Barcelona, Jakarta, Bali twice and, more recently, London—we have some concept of the worldwide menace that we are facing at this time. I think it is very important to understand that on each of those occasions there were men, women and children simply going about their daily lives and their and their family's future was taken away as a consequence of the indiscriminate acts of terrorists.

Today we have tended to focus upon the impact in Australia, but let us consider the global impact of what has taken place. The terrorists are not simply focusing on what I would call Anglo-Saxon culture; otherwise, they would not have attacked Bali on two separate occasions. There were Muslims killed—Muslim children, women and men. They are not simply attacking the foundations of our society; they are attacking the foundations of any society that runs contrary to their own beliefs and ideals. That is the war we are fighting today. It is a war that we cannot in any way, shape or form afford to lose. That is why we are going to support this bill in the House. It is an important bill because at its core is the right of our society to continue in a democratic, open and principled manner.

The member for Ashgrove raised very clear concerns to the House of his interpretation of the bill. I can certainly understand where he is coming from, but I cannot agree with the principles that he outlines. There are certain times in any nation's life or history when steps must be taken to ensure that the nation continues into the future, and this is one of those occasions.

As I said earlier, we have in the past had to sacrifice certain rights and liberties to protect our future. There are many men and women who have died on behalf of this country to ensure that this parliament here today is, in fact, in existence and that this parliament here today has the right to debate in an open and frank manner laws that we are going to put in place. Yes, I understand very clearly that this bill does remove a number of rights that we hold dear and have sanctified. Those rights are not given up lightly. Those rights are given up only after very careful consideration of the impact of this legislation. They are also given up with the knowledge that there are in place certain protections for those people who may and will be detained under this legislation.

The Public Interest Monitor has a very important role to play in this jurisdiction and it has a very important role to play under the terms of this bill. That role, in my opinion, will be pivotal to ensure the freedoms of individuals who are taken into custody are looked after. It will ensure that the method of justice we are putting in place here today does, in fact, deliver a result that is going to be one of protecting the rights of this country and of its citizens but, equally so, protecting the rights of those people who may be subject to such an application.

The important question for discussion today in this debate is whether this bill strikes the appropriate balance—that is, whether the need for protection and security of the population and country of Australia is weighed against the protection and the surety of access to legal recourse for those people who are going to be the subject of the legislation. In my opinion, it does because, at the end of the day, there are protections in place under the terms of the bill that do ensure those who do need legal advice will obtain that legal advice and that the detention is subject to ongoing review. In particular, there are avenues outside of the court system to which people can turn if they are dissatisfied with the determination.

That is not to say that this is a bill that we support openly. It is not a bill that we support openly. We cannot readily adopt legislation that removes basic rights and basic freedoms and accept that as a fait accompli. It takes a lot of soul searching and deep thinking before rights that we hold dear are removed from our jurisdiction. At the end of the day, the balance has to be struck and the balance, from our point of view, has fallen on the side of supporting the legislation.

There are a number of matters contained within the *Alert Digest* that in my opinion are very important. I ask the Premier: who will deliver the reply to address those issues, in particular the issue of the standard of proof in applications of this nature.

I wish to conclude by acknowledging that no-one in this House today has come to the determination to support this bill readily or with any joy. But I think we understand that the bill is essential. If we are going to achieve a maintenance of what we believe is important to this country and to generations to come, there are certain things we simply have to do. I support the bill entirely.

Mr DEPUTY SPEAKER (Mr O'Brien): Order! Before calling the member for Mount Coot-tha, I would like to acknowledge the presence in the public gallery of student leaders from the Earnshaw State College, including the captains, Kirstie Lahey and Evan Downs; the vice captains, Jessica Pearce and Byron Tworek; and the principal, Brian Forbes. They are from the electorate of Nudgee.

Mr FRASER (Mount Coot-tha—ALP) (12.42 pm): In ruminating at length upon the bill before the House today, I reflected upon the nature of trust. Much is made of the trust that underpins our system of representative democracy. The point-in-time nature of elections delivers unto those elected an obligation of trust towards the citizens they represent. In my view, the fact of election requires of those elected to respect the office they hold and ensure its nourishment. At the very least upon election it is incumbent upon those elected not to trade on that office such that the office is vacated in a state of repair below that in which it was inherited. To do otherwise would be to chip away and corrode the underpinnings of our very system of government.

Ultimately, when it comes to issues of national security I share the level of insight of 87 other members in this place. Beyond that, the Premier holds a higher level of insight by virtue of the briefings offered the leaders of state and territory governments. However, that insight also falls short of the state of knowledge upon which we are all asked today to rely. It might be tempting—and, on form even wise—to doubt or question the Prime Minister's assertions about the necessity of these laws. After all, we are

required today, ultimately, to trust a leader who has abided a situation in which a citizen of this nation is held by another nation in the most unjust of circumstances to be subject to a trial of such manifest inadequacy, regardless of the heinousness of the alleged acts. We are being asked, ultimately, to trust a leader who was a key author of the artifice of the children overboard so skillfully filleted by David Marr and Marian Wilkinson in their book *Dark Victory*. We are being asked to trust a leader who has overseen an immigration system which has visited such horrors upon so many. We, ultimately, are being asked to trust a leader who refuses to accept the folly of the Iraq war having any causal relationship to threats to our national security.

However, in the final distillation no other course of action is open to any member here today. In common with every other member, I am not in a position where I have before me an alternative level of information to deny the assertion of the Prime Minister of the necessity of these laws, coming as that assertion has just six months since the then head of ASIO denied the need for additional powers. The Prime Minister has, to an extent, shared his level of insight with the leaders of the state and territory governments, but ultimately they, too, have been asked to accept the Prime Minister's assertion. We must pass these laws because to do otherwise would be to elevate a suspicion or an inclination to challenge the advice of the leader of our duly elected federal government charged as it is with protecting our nation's security. Of course, we simply cannot.

I never want the Prime Minister's assertion of the necessity of these laws to be proven, for that would confirm the existence of imminent evil within our fortunate nation. Equally, I never want the Prime Minister's assertion to be disproved for that would confirm that the highest office of this land has been shabbily traded upon. In the final analysis I suspect that neither contention can be proven, such is the nature of the dilemma before the House today.

The bill before us in so many ways is counter intuitive or antithetical to its *raison d'être*. In seeking to protect and promote our freedom, we are today asked to legislate for extensive powers to curtail such freedoms. Oftentimes the devil is in the detail. Today we find the angels are in the detail.

The role to be played by the Public Interest Monitor in this bill is of paramount importance. The provisions for representation, review and contact are a quantum leap beyond that which was originally described. I commend to the House the provisions of the bill dealing with children, which proscribe the application of these powers, and also in terms of their welfare as an associate of a subject of an order.

It is worth emphasising that the issuance of a final preventative detention order, that is the power to detain a citizen for up to 14 days, is reviewable upon the merits by the Supreme Court. For it not to be would surely have cruelled the support of so many of these laws. As the Premier noted in his second-reading speech, the concept of preventative detention is not foreign to our system of justice. By no means, however, is it common, but it is the jurisprudential underpinning of our system of remand.

I began by reflecting on the nature of trust within our system of government wherein the nature of representation must be figured in fiduciary terms. I have also spoken before here of a certain intellectual affinity with the Burkean tradition. In that respect, due regard is to be afforded those leaders who have worked diligently to weave into the framework of these laws the vitally necessary safeguards—an endeavour that has required true leadership, leadership at its least visible and at its quietest.

Before I conclude, I note in passing that the bill draws perhaps a larger matter into question. There is no provision in the Australian Constitution that explicitly states that detention beyond 48 hours is unconstitutional. This is a matter of interpretation. It is the independence of the judiciary provided for in the Constitution that of itself produces this view. That the states are being asked to legislate reveals a matter of shortcoming in my mind in our own constitutional arrangements. That is a matter which will not be resolved today.

In conclusion, it must be said that no one person or section of the community, let alone one side of politics, has a monopoly on care and concern for our fellow citizens, for our loved ones or for our neighbours. To suggest otherwise is offensive to the considered mind and corrosive to the body politic. Anyone tempted to play the politics of this in a partisan manner serves only to draw into question the original intentions. It is undeniable, however, that politics has been mashed into this debate. As a nation this is a matter of sorrow and deep regret.

I have previously quoted from William Faulkner in this place while pleading for a nobler, more hopeful pursuit than the quest for survival alone, in saying—

Our tragedy today is a general and universal physical fear so long sustained by now that we can even bear it. There are no longer problems with the spirit. There is only the question, when will I be blown up? We must relearn that the basest of all things is to be afraid and, knowing this, forget it forever. We must relearn that there is no room for anything but the old verities and truths of the heart, the old universal truths lacking which any story is ephemeral and doomed—love and honour and pity and pride and compassion and sacrifice.

Without knowing this, we labour under a curse. We are concerning ourselves with defeats in which nobody loses anything of value, of victories without hope and, worst of all, without pity or compassion. We grieve on universal bones, leaving no scars.

No bill in my brief time here has caused my mind such distress. But, as the member for Hervey Bay said earlier, there is no higher, more solemn duty as members of this parliament than to provide for the security of our citizenry. Despite the pangs, inclinations or suspicions, misgivings or otherwise, this bill must be supported.

Mrs LIZ CUNNINGHAM (Gladstone—Ind) (12.49 pm): I rise to speak to the Terrorism (Preventative Detention) bill and, in fact, to oppose it. In doing so, I acknowledge the contribution of the member for Mount Coot-tha and his deliberations, although I must disagree with his final conclusions. I would also have to commend the member for Ashgrove for what I believe to be one of the best contributions to this parliament on an issue that is potentially so divisive.

This bill goes towards more than just providing security for our nation, as the member for Mount Coot-tha has so clearly elucidated. It goes towards our responsibilities also on the opposite side of the balance to protect people's freedoms and their liberties. It is a bill that has the potential to impact more than any other legislation that I have seen in this House in the time that I have been here. We have debated workers compensation legislation. We have debated industrial relations legislation and the like. But this bill goes to the core and fundamental issues of freedom and democracy.

When 9-11 occurred, when the Bali and the London bombings occurred, Australia and the leaders of the nations to which we are culturally most aligned—the US and England—said that if we do not continue as we usually do, that is, if we change our mode of living, if we change what we are going to do, they have won. This legislation means that they have won.

I have received a number of pieces of correspondence from people expressing concern about this legislation. Some have expressed agreement, but overwhelmingly those who have written have been concerned about the contents of the legislation. Mr Rob Williams, who I am sure has written to most members, has stated—

I want you to note my opposition and concerns over the counter-terrorism laws currently being considered by both Federal and State Governments.

He goes on to list his reasons for this, one of which is that terrorism should be addressed using existing criminal law. He further states—

The proposed laws are unconstitutional and bypass our existing judiciary system.

He talks about the sanctity of the home. He talks about secret detention without charge and house arrest which violate basic international human rights, and he talks about the expanded definition of 'sedition', which I acknowledge since this email was sent may have been changed. But, again, the federal government is asking us to trust it in relation to the changes it is yet to make to the definition of 'sedition'.

Mr David Wiggs, who from his letter I would say holds some extreme views in certain areas—I am only going to selectively quote from his letter, and I acknowledge that—states—

I am writing to you to express my horror at the newly proposed security laws. It seems to me that our government is treating the Australian public with utter contempt. Two world wars, the Korean war and supposedly the Vietnam War, were fought to defend the free world and Australia from tyranny. How many Australians died in those wars, defending our human rights. And what does our Prime Minister do but propose to simply take away those most precious and sacred rights, that so many paid the ultimate price for. How cheaply does the government treat those heroes ... Once these laws are in place, gone is our democracy, gone are our basic inalienable rights.

In the time that has been allocated for the debate this afternoon, there will be insufficient time to deal with the amendments that I have circulated and propose to move. I acknowledge that the Premier also has some amendments. I just want to summarise very quickly what my amendments are intended to achieve.

The first amendment was intended to change the issuing authority from a senior police officer to a judge to ensure that values of fairness and natural justice, and transparency and independence are encapsulated in the person to consider such intrusive detention powers.

The second amendment requires that, in making a decision in relation to a detention order, the impact of the making of that order on the human rights of the detainee must be considered. I do not believe that is a static consideration. I believe that the impact for every individual will differ, depending on their background, their involvement, their peer group and their activities in the past. But it is a factor that should be considered.

The third amendment requires that an application for an extension of an initial order must be accompanied by reasons why the purpose of the initial order has not been achieved during that period of time. It places an onus on the applicant for an extension of the order to show why they have not been able to achieve their intended goal and to give compelling reasons why further intrusion should be made into a person's rights and freedoms.

The fourth amendment gives a greater ability to the person detained and the person's lawyer to access information and processes in relation to defending the detention order. It reflects the Victorian legislation. The subsequent amendment is consequential.

The sixth amendment provides the judge, rather than going from an initial order to a final preventive detention order, with some flexibility in giving a period of time not as long as a final order. Rather, it allows the applicant an opportunity to continue on with their investigations with perhaps a shorter period of time in relation to a further order.

The seventh amendment places an obligation on police who are detaining persons under 16 years of age to explain to the detainee their protections, unless it is obvious that a person is not under 16 years of age—and I would rather begrudgingly say that most members are obviously over 16 years of age. This will protect those close to the threshold age.

The ninth amendment clarifies concerns by the Queensland Law Society and, I believe, the Queensland Council for Civil Liberties in relation to the application of a detention order if a person is released and subsequent questioning is made of that person to ensure that any information garnered during that period of time is not deemed to be inadmissible.

Further amendments relate to client-lawyer confidentiality. I have had some discussions with the Queensland Law Society about this issue. This legislation contains an incredible change to the process of law that we have held for so many years of client-lawyer privilege. I can understand, on the basis of it being potential terrorism, that police, ASIO and all of the other entities involved will want to access as much information as they possibly can. But, again, in this legislation we are undermining tenets of law and tenets of rights and protections that people in this state and in this nation have constantly fought to protect. We have fought against countries within which these types of intrusions are allowed and tolerated. Indeed, we have criticised them in great measure for their lack of liberty and rights for the individual. My greatest concern with these laws is that, in endeavouring to address the potential of terrorism, we are lowering completely the protections of individuals in this land and in this nation.

The Scrutiny of Legislation Committee stated that it had some concerns about the standard of proof for a preventive detention order. The 16th amendment that I will move clarifies, or attempts to clarify, that the onus of proof in relation to a preventive detention order is on the applicant and that the onus of proof is beyond a reasonable doubt because of the nature of the matter and the way in which it is to be dealt with.

The other amendments deal with legal representation and allow as of right people who are socioeconomically unable to provide their own protection at law access to legal aid.

I am conscious of the time and I know that there are a number of other people who wish to speak. In this legislation it is proposed that the police are the people who will arrest people; they will not question people. ASIO, the national Crime Commission, the Australian Federal Police and in Queensland possibly the Crime and Misconduct Commission will be the bodies that will do the questioning. ASIO, the NCC and the AFP have extensive powers now.

To support this legislation is to undermine fundamental freedoms that we in Australia have valued and have paid for over a long time. On the basis of that fundamental tenet, on the basis that I do not believe this legislation would have stopped any of those terrorist bombings that have occurred so far—and I am not convinced will stop them in the future—and on the basis that while part of our responsibilities is to protect people from harm our balancing and equally critical responsibility is to protect the freedoms and rights of our people, I will not be supporting the legislation.

Mr DEPUTY SPEAKER (Mr O'Brien): Before suspending for lunch, I would like to wish you all a Merry Christmas and a Happy New Year.

Sitting suspended from 1.00 pm to 2.30 pm.

Ms NOLAN (Ipswich—ALP) (2.30 pm): I rise to speak in support of the antiterrorism legislation brought to this House by the Premier. Like other members who have an appreciation of the civil liberties that define our society, I support this legislation with some considered reservation. Legendary US Supreme Court judge Louis Brandeis famously said—

Nearly all legislation involves a weighing of public needs as against private desires; and likewise a weighing of relative social values.

Such is the case with these laws. While the legislation clearly impinges on the absoluteness of our liberties, it is presented in the context of what I trust—and I note the member for Mount Coot-tha's discussion of the elements of that trust—to be credible evidence of a real emergent threat. The imperative to protect citizens lives' is the highest of all social values. As such, I believe the laws are necessary.

I am extremely supportive of the amendments that the Premier has brought uniquely to the Queensland House; that is, the amendments around the Public Interest Monitor. This is a feature that makes the Queensland legislation more protective of civil liberties than legislation introduced in other states. The legislation is clearly designed to protect against an emergent, quite possibly home-grown terrorist threat. The legislation does not attempt to do anything to ameliorate the likelihood of that threat. We need to understand that this legislation, by its definition, is absolutely a last line of defence. It is nothing less than that but it is also nothing more than that.

If the Howard government was asked what else it was doing to make Australians at home and abroad more safe, given that this is purely a last line of defence, it would suggest to people, in all earnestness, that we are fighting terrorism overseas by participating in the American efforts in Afghanistan and Iraq. Australians should not buy that line. The 'war on terror' is the kind of grammatical

absurdity that could only come from a person such as George W. Bush who recently asked, 'Is our children learning?' Far worse though, as federal Police Commissioner, Mick Keelty, pointed out in March last year, involvement in the war on terror, far from making us as Australians safer, contributes to making the Australian people less secure.

So what are the values that we, as a nation, are trying to protect? What can we do, in a meaningful way on the international stage, to minimise the chance that these laws will need to be used to ward off an imminent threat? What are our national values? They are democracy, respect for life, the right to a fair trial and justice, including economic justice, for all people. Are these the values we are presenting to the world? Henry Kissinger famously said, 'Nations don't have values, they have interests.' An assessment of Australian foreign policy, at least under the Howard government, would suggest that that is, sadly, our guiding principle.

While we espouse the notion of a fair trial when talking about our own national values, the Australian government has supported the biased military commission process for the Australian citizen David Hicks in the United States. Even worse, when plausible reports have emerged that Guantanamo Bay suspects have been tortured we have accepted the very dubious American argument that the Geneva Convention does not apply and we have raised no objection. The Howard government's position on this issue has been roundly and rightly condemned by the Law Council of Australia, an organisation that is hardly a pinko fringe group.

While we believe and talk about economic justice at home we are, in OECD terms, one of the poorest providers of foreign aid. The OECD average stands at 0.42 per cent of GDP donated to foreign aid but under the Howard government Australia, with its abundant wealth, contributes just a quarter of one per cent of GDP. Australia once had a wonderfully rich international reputation as a leader among the fair minded and just nations of the world. Through Labor's HV Evatt, we proudly led the establishment of the United Nations. But in participating in the war in Iraq—an illegal war based on the lie of weapons of mass destruction, which is something we do not mention much anymore—we have walked away from the UN and the international rule of law. While we once established ordered processes to deal with refugees, the Howard government has wasted half a billion dollars, an extraordinary amount of taxpayers' money, in establishing the embarrassingly failed Pacific solution.

Do these things matter? I put it to you, Madam Deputy Speaker, that they do. As the Leader of the Opposition said quite wisely this morning, we will never defeat terrorism by conventional means. To take that point beyond what he said, but I believe to its natural extension, laws like this do rightfully provide a last line of defence. We will defeat terrorism ultimately because we are free, just, compassionate and right. When we compromise on those values at home or on the international stage we compromise our position fundamentally, and I suspect fatally, in the battle of ideas. It is wrong, immoral, unethical and simply terribly unfair that Australia faces any terrorist threat at all.

However, in so much as this battle has an element of ideas, we should be making a point of putting our best foot forward. We should express our national values through a brave and ethical foreign policy. We should be talking about our values and not our interests. While we talk about espousing the rule of law at home we should do it abroad. While we talk about economic justice we should do the same in terms of foreign aid. We should strengthen rather than wreck the processes of the United Nations.

These laws are an absolutely necessary last line of defence in the battle against terrorism. Ultimately, it will be our strong, wonderful national values that act as our shield.

Mrs PRATT (Nanango—Ind) (2.37 pm): I rise to speak to the Terrorism (Preventive Detention) Bill 2005. Before I go into what I hope will be a fairly short speech, I would like to commend the member for Ashgrove. In the entire time I have been in this parliament I have never heard a more inspiring speech. It was spoken from the heart. It was from someone who obviously understands and knows the pitfalls of terrorism and who experienced those pitfalls in his own lifetime. I commend him highly for his speech. Prior to this debate I had some grave doubts about this bill, but after hearing his speech I will be opposing this bill.

There is no doubt that there is a need for us to combat the threat of terrorism. As children none of us would have known much about terrorism or experienced it unless we came from a country that had been oppressed in the past. However, I do know that the thought of terrorism is quite frightening. Often the perception of something is worse than its reality. It is like waiting to go to the dentist. It is a terrible thought to have to go to the dentist and contemplate all the things that could happen there, but the truth is that when someone gets there it is never as bad as they think it will be.

Although there is this threat happening over our head, the bill actually comes across to me as perhaps overreacting to the threat rather than keeping a very close eye on what is going on and reacting accordingly to that.

There is a fine line between protecting the people of Queensland, which is what we are here to do, and oppressing them. I believe that this bill is quite open to abuse. By all means I grant that it is not probably intended to be, but it is open to abuse. We have to be very careful that in the future it is not

abused in ways that impinge even more on people's liberty. I also acknowledge that the government is damned if it does and damned if it doesn't. If it does not do anything and something happens, it is going to be condemned soundly. If it does too much, it is also going to be condemned soundly. It is a difficult position for any government to be in. There is no doubt that any Australian on our streets will say that we have to do everything to protect people—and that is true. I believe also to a great degree that we have not instilled in our kids at school just how valuable are these liberties and freedoms that we have. People are too ready to hand them over. That scares me a whole heap.

I have heard it stated that the states and territories must have uniform legislation so that the legislation of the federal government can work properly. I agree that to a certain degree we need that, but it is my understanding that federal law can override state law. I would like to be corrected if I am wrong, because that was something I heard in one of my first terms here.

Mr Lawlor: That's correct.

Mrs PRATT: I thank the member. The chances are that the power is in the hands of the federal government, anyway. So I question the need for us to hand over our liberties and freedom as a state let alone as a country.

People who have come to Australia from countries that have experienced terror and oppression have contacted me to say how opposed they are to this bill. They say that every time they see another bit of law coming through like this it reminds them of home. The very reason they left that country and chose to come to Australia was the freedoms they would have here and the lack of oppression. They are extremely frightened by this legislation. I take a lot of notice of them, because they are speaking from experience. The member for Ashgrove is speaking from experience. He has said how opposed he is to this bill. We should be listening to those people. I have had many people from the Vietnam Veterans Association say to me how opposed they are to this bill. There are a lot of people who are not willing to accept with blind acceptance that this is the way we should be going. They accept that something must be done, but not to this extent. They see this bill as too extreme at this point.

As I said before, I believe there are adequate laws available. I support the recent measures which allowed the 14 people from down south to be detained. I believe the existing laws are adequate and address the situation in total. One thing that bothers me about the debate in this House is that I have heard a few members stand up and say—and I am not quoting them verbatim—that the federal government knows a little bit more than we do, that the federal government has talked to the premiers of the states and that, therefore, we should go along with them and support them in this move. Then in the next breath or the one previous to it they condemn the federal government for the children overboard affair, detention centres and being involved in the war in Iraq. It is like having two bob each way. It is all right to trust them on this issue, but we should never have trusted them on the previous issues I have mentioned and we will probably not be able to trust them in the future. I do not feel comfortable with that at all.

One thing I remember very clearly in relation to the war in Iraq is that many statements have been made in the media such as, 'In hindsight, our intelligence was flawed.' Detaining people on the intelligence which is gathered may very well be accurate or it may not be. If it is flawed and they are detained, they can get compensation. That is no comfort at the time for anybody who is detained and has been detained for a long period. People kept saying Bush and John Howard were given flawed intelligence and as a result we went to war. The possibility of flawed intelligence can cause a lot of angst, it can divide communities and it could tear this country apart. That is a huge worry for everybody I have spoken to.

Today I talked to a young girl who has been listening to parliament for the last three days and has found it very interesting. She is 20 years old. I gave her the Terrorism (Preventative Detention) Bill and asked her to tell me what she thought about it as a 20-year-old. She went home where she is staying with her friends and other university students and did that. Quite frankly, what she has written is a little bit frightening. She found it an extremely frightening bill. It is one that her and her peers will be ruled by. She sees so many abuses in it. It is really quite amazing. The lack of freedoms that they were going to lose and the number of abuses that could be caused because of and through this legislation frightened her very much.

I believe quite strongly that, although we need some measures, we do not need measures as strong as this bill is proposing. We must go on as we have in the past. After every terrorist attack that has occurred around the world people have said—and I believe this quite strongly—that if we do not go on the way we are, if we start closing the doors around us and become insular, we are doing exactly what terrorism is designed to do. We will trap ourselves in our own paranoia, to a certain degree, in a world of oppression and fear. If we do that, the terrorists have won. If we pass this legislation—and I know we will because of the numbers—we have bowed down to them and let them win.

On the one hand, I think we should all be ashamed that we are doing that. On the other hand, we should be ashamed that we are not giving this legislation due consideration. This bill has come on for debate today and in a short time it has to be passed. Some members are perhaps being forced to miss out on speaking to it. If we are to stick to the timetable that we have been given, the amendments that I

know the member for Gladstone proposes to move will not get a chance to be aired. I honestly think that is selling out our liberties pretty cheaply. If that happens and the member for Gladstone's amendments do not get debated in full, or if any other member who has signalled that they are going to move amendments does not get a chance to voice their opinion and have their amendments debated, then we have sold out our freedoms and our liberties very, very cheaply.

In the past when we have debated some matters I have heard members in this House say over and over 'These are draconian laws and we oppose them.' Today, these draconian laws that are in the House to be debated were put forward by the Labor government and it is going to support them. Again, to me that is a two-bob-each-way attitude. It makes me very sad to think that we are willing to hand over after a relatively short debate something that other members here value so highly.

Many members are not speaking to this debate because of the time limit, and we should all be ashamed that that is occurring. It riles me to think that so little time has been allocated to the debate of this bill. The truth is that, if we give our freedoms up so easily—as it appears we are doing today—then we do not deserve them. I will be fighting with every breath in my body to retain the freedoms I have. I know the Vietnam veterans will. I know the migrants who have come here and who have spoken to me about the bill will. Everybody who has experienced oppression in the past will be fighting also. I am ashamed that too many people do not value what others have fought and died for.

Hon. DM WELLS (Murrumba—ALP) (2.50 pm): I support the Terrorism (Preventative Detention) Bill and note that it contains more safeguards than those available in the bills of other states. However, I have significant concerns about this bill and I know that they are shared with a large proportion of thinking Australians. Let me say at the outset that I accept entirely that there is a real and potent threat to Australia's security. I also accept that it is a responsibility of members of this House to take whatever steps they can to protect the citizens they represent. Our commitment here should be not to abstractions but to the wellbeing of those we represent, to their children and to our children. Their safety is a precondition of their wellbeing and therefore our fundamental business. If their safety requires the sacrifice of something else—however precious—then that sacrifice is not too high a price to pay.

A lot depends on that word 'if' at the beginning of that last sentence. This bill does give away something precious; it gives away an age-old protection of our freedoms. To pay this price would be easier if we knew that there was a causal connection between sacrificing that freedom and improving our capacity to fight the scourge of terrorism. I wish it were clearer that such a connection existed. I wish that the Prime Minister had given us more reason to believe that the new powers contained in this bill were necessary to apprehend the terrorists.

The bill allows preventative detention to be imposed if there are reasonable grounds to suspect that a person will engage in a terrorist act or possesses a thing that is connected with the preparation for or planning of a terrorist act. This sounds to me very like behaviour that is already illegal under the Criminal Code of Queensland. The offences of conspiracy under section 309, attempt under section 306 and the sections relating to parties to an offence—that is, sections 7 to 10—among other sections seem already to cover the circumstances in which an order for preventative detention can be made. Unlike a preventative detention order, however, they also allow a person to be charged and convicted and put away for a lengthy period. I am fortified in my suspicion that existing Queensland laws already cover the field by the fact that the bill requires that, before an order is received, the authorities must be satisfied that the order would be substantially helpful in preventing a terrorist act. I am sure that the courts will interpret that requirement as calling for evidence, and that evidence would have to be of the kind that would found a charge under the Queensland Criminal Code in any case.

I am quite perplexed as to the circumstances in which the new laws would allow detention but would not allow the detainee to be charged with some existing offence. I understand that the Prime Minister has told premiers and others that sometimes there might just be chatter—that is, isolated pieces of intelligence—that all added up to the conclusion that something was afoot. However, I cannot see how it would be good counterterrorist strategy for the authorities to show their hand by taking suspects into custody in those circumstances. To do so would be likely premature and would alert the terrorists who were not picked up and might actually bring on a terrorist act that could otherwise have been prevented. I do not seriously believe that the authorities would conduct an antiterrorist swoop on the basis of that kind of material.

It is therefore a significant leap of faith for the states to sign up to the Prime Minister's request to pass this legislation. We are giving up something very significant when we expand the area of preventative detention. May I emphasise that I am not opposed to the principle of preventative detention. Preventative detention is part of our legal system. Judges are applying it when they refuse a request for bail. It can be a factor in domestic violence prevention orders. Our laws are not always applied only retrospectively. I am not a civil libertarian who reifies certain principles of our law and considers them inviolable. I am a utilitarian who believes that our laws should enhance our freedoms and who wants to hear extremely good reasons before accepting a limit on the scope of those freedoms.

Show me that delimiting the freedoms of our society will save the life of a single innocent Australian man, woman or child and I will accept the necessity gladly. Unfortunately, that is precisely what the Prime Minister has not told us. We have not been given a single plausible scenario in which

these laws will catch a terrorist and the existing laws will not. In these circumstances, there are only two alternatives. The first is to accept the assurances of the Prime Minister that these laws are necessary and that he knows something that we do not. The only other alternative is to assume that this is just another prop the Prime Minister is going to wheel out for his next khaki election. However probable the latter alternative might intuitively seem, to embrace it is very high risk. The consequences of being wrong are too horrific. Therefore, with great trepidation, I support the bill.

Mr TERRY SULLIVAN (Stafford—ALP) (2.56 pm): Many people want to make changes in Australian society, and most people try to bring about this change by the ballot. A few try to do so by the bullet. The former group, those using the ballot paper as their method of change, include political parties, lobby groups, unions, employer associations and individuals who try to make their particular viewpoint prevail. They put forward ideas, gather support and seek change through the ballot box by electing like-minded people to decision-making positions. A small minority of people—some from within our national borders and some from overseas—want to change Australia by the bullet. They plan to use force, fear and indiscriminate acts of terrorism to achieve their goals by destroying what they disagree with within our society. This legislation is targeted at the latter group—those who would destroy the coherence between our citizens to impose their ideology on the rest of society.

Experiences in other countries have shown that Australia is vulnerable, and I want to provide our authorities with the necessary powers to deal with this type of irrational criminal activity. The key question is: is this legislation necessary to supply the powers needed by enforcement agencies to address terrorism? I have reservations about this bill, not because of its goals but because of the process by which the bill has reached the floor of the Queensland parliament. If Queensland citizens are to be asked to hand greater powers to authorities which can curtail the freedoms of the citizens, there must be an open and accountable process for parliaments to pass such limiting legislation. Because of the actions of Prime Minister John Howard, there was no free, open discussion about this legislation. The PM used—or, rather, abused—the COAG processes to distance the voters from the legislative process, to limit public discussion, to exclude dissenting views from being debated, and to lock all Australian parliamentarians into a position that had to be accepted on trust—on trust in him. Along with millions of fellow Australians, I have no trust in John Howard, no trust in his honesty and truthfulness. John Howard lied about the threat of illegal immigrants with the *Tampa* farce. John Howard lied about children overboard, trying to discredit legitimate political refugees. John Howard lied about weapons of mass destruction, committing our troops and limited finances to a war which we should never have joined unless as part of a United Nations joint effort.

John Howard has proven to be an inveterate liar who will use fear, half-truths and dishonesty to promote his extreme ideologies. John Howard's worst legacy has been to turn Australia in the last decade from an open, outwardly-looking, accepting society to a more selfish, inward-looking, exclusive, scared young nation. Unfortunately for me and the other few hundred state and federal parliamentarians, John Howard skilfully manipulated the COAG process and the Australian security services to force this legislation through without open debate.

I understand that the state premiers received their first information on these matters at about 6 pm on the Friday evening before COAG was to make the decisions just four days later—with a weekend, not allowing for full debate, and the full effort of the state bureaucracies only being brought to bear on this complex legislation a mere 24 hours before the chief ministers were to meet. And, to further isolate state parliaments from any meaningful discussion or debate, John Howard got the Australian security chiefs to provide a confidential briefing which prevented the premiers and chief ministers from fully briefing their respective parliaments or the Australian people.

Because policing issues have been regarded as the province of state governments rather than the federal government, it fell to the states to introduce legislation which our Premier has correctly labelled as draconian. The problem for the state governments is that, because of the way COAG has worked in recent years, the states were faced with no-win options. What should have happened is that the COAG meeting should have put the need for such legislation on the table and a process of public input should have occurred. Exposure drafts of the bill could easily have been circulated, even with limited response times, for those groups and individuals interested in making a contribution to the development of the legislation.

John Howard refused to trust the people of Australia to develop laws that would protect their families. John Howard did not trust the state premiers and prevented them from freely and openly discussing the bill with their parliaments. John Howard did not trust the public servants, the churches, social justice groups or anyone other than a small group of advisers to work out what was best for all Australians. Because of his lack of trust in the Australian people, John Howard does not deserve the trust of our nation. John Howard has failed to see that it is already a victory for terrorists when he strips away liberties from his people supposedly to protect those very people.

I am in full support of giving authorities all the powers they need to prevent terrorist attacks and to act following a terrorist attack. But alongside these powers must be the necessary protections and safeguards for all citizens. John Howard failed in this latter regard and, by eroding the freedoms and liberties of all Australians, he has handed one victory to those who would seek to destroy our way of life.

I congratulate the premiers, especially Premier Peter Beattie, for insisting on many specific measures designed to protect the civil liberties of our citizens. It is the actions of the Labor state premiers to give greater protection for civil liberties that allow me to vote for this legislation despite my serious reservations about the process by which these restrictive laws were formulated. The Prime Minister said that he would support the Public Interest Monitor and yet the first draft of the bill did not contain reference to the Public Interest Monitor. The Prime Minister lied.

The existing laws were capable of addressing many of these needs, but the Prime Minister chose not to use the existing laws. The member for Nanango made a point that there were limits placed on certain people. I can assure this House that no limit was placed on any government member in any way. In fact, today I again asked every government member who wished to speak to the bill and members were free to choose whether they spoke and for how long they spoke. I invite the member for Nanango to speak to any backbencher or any minister from the government side. I will guarantee that she will not find one member on whom any pressure was put not to speak.

I am pleased that sedition has not been included in this particular bill. It was not discussed at COAG, yet John Howard tried to ram it through. Even last night, during the telecast of the Walkley Awards, criticism was made of the limits to the freedom of the press. Freedom of the press is important—vital for our society—even if it does mean we have to bear the unprofessional and biased presentations of the *Courier-Mail* and the Channel 10 news. It is better than not having freedom of the press.

We all face a challenge in our society. The premiers were faced with a very difficult choice. I believe that what the premiers have done, to bring as many of the safeguards to our citizens as possible, is worth while and I support the bill before the House.

Hon. PD BEATTIE (Brisbane Central—ALP) (Premier and Treasurer) (3.05 pm), in reply: First, I table the addendum to the explanatory notes for the amendments circulated in my name. I also table a copy of my response to the report of the Scrutiny of Legislation Committee on the bill which was tabled here yesterday. I thank the committee for its report on the bill.

I thank members for their support in securing the expeditious passage of this bill. I understand that it has not allowed the usual processes of this House to be followed. However, we considered it essential to have these laws in place before Christmas. I want to make that point. In taking this expeditious action, we join with the parliaments of the Commonwealth, New South Wales, South Australia and Tasmania, which have either passed corresponding laws or are expected to do so by the end of next week. New South Wales has passed the laws, South Australia has passed the laws, Tasmania has passed the laws and the Commonwealth will pass them next week.

It gives me no pleasure to bring this bill into the House. I do so with a grave sense of duty but no pleasure. As I said when introducing it, these laws are draconian. Unfortunately, they are a sign of the times, tragic as that may be.

It has often been said that the attacks in New York, Bali, Madrid and London have changed our world. It would be too easy for us to become complacent as a result. The Australian Labor Party, of which I have the honour of being Queensland leader, has a long and proud history of protecting human rights. It also has a proud tradition of protecting community rights including the right to a safe and happy existence, free of the threat of extremist political, religious or ideological violence. I thank honourable members for their contributions to the debate.

I want to make one final point on this. The day that terrorists started blowing up and killing themselves to kill others, the world changed forever. That is why this legislation is tragically necessary. The Leader of the Opposition indicated opposition support for the bill. I thank him for that. I personally briefed him and the Leader of the Liberal Party as well as Liz Cunningham, the member for Gladstone, representing the Independents. The Leader of the Opposition observed that there are some matters of detail that one might settle slightly differently. I will come back to that. He did question whether the involvement of the Public Interest Monitor might be more about pacifying libertarian sensitivity than adding any real value to the process. I do not share that view. I assure members that the Public Interest Monitor does add real value to the processes in which he is presently involved.

The Chief Justice has advised the Attorney-General in consultation for this bill that he had observed that the quality of applicants for covert warrants before the Supreme Court was very high. He had no doubt that this was due to the Public Interest Monitor's role in vetting these applications beforehand. He acknowledged that overall the bill strikes a good balance. In other words, Queenslanders are better protected than those anywhere else in Australia because of the involvement of the Public Interest Monitor. I am proud of the fact that, as Premier, I insisted on its inclusion. While there were many sensitive negotiations along the way, it was necessary.

The Leader of the Opposition queried whether COAG's review of the complementary law should happen sooner than five years. The legislation does not prescribe when the review is to happen. It is certainly open to COAG to do a review at any time before five years and, if the need arises, I will be happy to raise it with my fellow leaders. However, the agreement is that it will be reviewed after five years.

The member for Kawana, the minister for multicultural affairs, spoke of the efforts this government has made in building and strengthening relationships with multicultural communities and particularly Muslim communities. I reaffirm that and welcome the contribution they make to the life of our community as a whole.

The Leader of the Liberal Party said that it would be a very sad day if law enforcement officers had to use these laws against a Queensland citizen. He hopes that the laws will never be used. I can do nothing more than thoroughly agree. I thank him for his acknowledgment of all governments' timely response with these laws. He properly acknowledged that this bill strikes the right balance between necessary restrictions and safeguards.

The member for Gregory called for the introduction of phone-tapping powers in Queensland. I have said many times in this place that the government will only consider opting in to Commonwealth telecommunication interception laws if the Public Interest Monitor can have a role. Under the Commonwealth law it is presently not possible for the Public Interest Monitor to have a role in applications for phone-tapping warrants. At COAG in September I called for other jurisdictions to consider a PIM for the preventative detention laws. In my second-reading speech on this bill I called for a national system of public interest monitors, and I would urge all other states to pick up our Public Interest Monitor. Australians would be better protected if they did.

As soon as the Commonwealth amends its telecommunications interception laws to allow a Public Interest Monitor the government will consider opting into those laws, giving the police and the Crime and Misconduct Commission phone-tapping powers for suitably serious offences including terrorism. In the meantime, Queensland law enforcement agencies work closely with federal agencies and have access to phone-tap evidence through joint operations. When we are fighting terrorism it is across borders. It would be rare that there would not be an issue across borders. Therefore, phone tapping is not an issue in terms of terrorism.

The member for Caloundra raised a number of matters identified in the Scrutiny of Legislation Committee's report on the bill yesterday. I draw the attention of members to the government's response to the report which I have just tabled.

The member for Gladstone raised some issues concerning the nature of the bill. The government takes seriously the concerns she raised on behalf of the individuals who have made representations to her. Those concerns have troubled us as well. Indeed, many of the people who have made representations to her have also made representations to us. However, we take the view that those concerns must be balanced against the equally serious concern about the threats we now face from terrorism.

The member for Gladstone talked about the Commonwealth proposals to reform sedition laws. I want to assure the honourable member and all members that this bill has nothing to do with sedition. In the Queensland government's counter-terrorism plan, which I tabled in this place on 28 September 2005, we committed to review a range of general legislation to ensure that counter-terrorism needs are met. That review will include consideration of our sedition defence. However, if there is any change at all, I will ensure that freedom of speech continues to be protected. The member has circulated amendments to be moved in consideration in detail and spoke to them in detail during her contribution. I appreciate the thoughtful approach behind her proposals. However, for reasons I will outline shortly, the government does not propose to act on them at this time but will give them due consideration in reviewing the legislation next year.

I want to make this point very quickly to the member for Gladstone—I only have three minutes left; we are all limited by time, including me: we want this legislation through to ensure that there is protective legislation in place before Christmas. I have indicated that this legislation is by no means perfect and next year, once the federal legislation is through in all of the other states, I will be bringing amendments back to this House including those suggested by the Law Society and other organisations including the Queensland Council for Civil Liberties. I give a clear undertaking that I will consult not only my caucus colleagues at length but also the Leader of the Opposition, the Leader of the Liberal Party and the member for Gladstone, who has shown a particular interest in this. If she is disappointed today that her amendments will not get up, I say to her do not be because I believe that next year we will be moving similar amendments to what she has sought and what she has indicated, but we need to do it next year once the legislation is through the federal parliament and we will do it in one go. The amendments I am moving today will be nowhere near the same in terms of depth. I will explain them in detail in a minute, but they do not go to the heart of the issues. That will be next year.

The member for Nanango is concerned about Commonwealth legislation overriding state legislation. Let me clear up any misunderstandings. There is a general proposition that the Commonwealth Constitution provides that a valid Commonwealth law prevails over any state law to the extent of any inconsistency. That rule is set in stone under the Constitution and there is nothing that this House can do about it. Let me assure the member for Nanango that there are many occasions that I would like to do something about that, but I am subjugated by the Constitution in the same way that she is. However, as members know, there are limits on Commonwealth constitutional powers nevertheless. One limitation is that Commonwealth legislation cannot confer executive power to detain for longer than

48 hours unless it is punishment for a criminal offence. For that reason, preventative detention for longer than 48 hours can only be enacted by state parliaments, and that is the reason for the COAG agreement requiring Commonwealth and state parliaments to do their respective parts.

I also want to thank members of the community who have contributed to the development of this legislation. Many Queensland individuals and organisations made submissions to the recent Senate inquiry into the corresponding Commonwealth bill. The Chief Justice, the President of the Court of Appeal and the Chief Magistrate all provided helpful comments on the draft bill to the Attorney-General last week. The Attorney-General, the minister for multicultural affairs and I met with the Muslim community leaders, the Bar Association of Queensland, the Queensland Law Society and the Queensland Council for Civil Liberties. Those organisations have all made written submissions on the bill. I thank them for the efforts they have put in.

I hope that they will not be disappointed that we have not been able to incorporate all of their suggestions at this time. Developments at the Commonwealth level and in some other states and territories are still unfolding. We have therefore decided not to make substantial changes to the bill at this time. My main concern is to get a bill that strikes a reasonable balance in law before the Christmas break. However, we will review the act next year. We will fully take into account the member for Gladstone's proposals, the submissions that have been made, developments in other jurisdictions and any other representations that have been made. I commend the bill to the House.

Motion agreed to.

Consideration in Detail

Mr BEATTIE (3.15 pm): In accordance with standing order 147, I seek leave to move amendments Nos 1 to 12 relating to the clauses and amendments Nos 13 and 14 relating to the schedule standing in my name en bloc.

Leave granted.

Mr BEATTIE: I move the following amendments—

- 1 **Clause 7—**
At page 7, line 12, after 'judge'—
insert—
';
in either case appointed by the Minister under subsection (3A)'.
 - 1A **Clause 7—**
At page 7, line 19, after 'retired judge'—
insert—
'holding an appointment under subsection (3A)'.
 - 2 **Clause 7—**
At page 7, after line 19—
insert—
'(3A) The Minister may appoint 1 or more judges or retired judges to be the issuing authority for final orders.'.
- 3 **Clause 17—**
At page 15, line 31, 'application'—
omit, insert—
'order'.
- 4 **Clause 47—**
At page 39, line 10, 'by a police officer'—
omit.
- 5 **Clause 48—**
At page 40, line 22, 'by a police officer'—
omit.
- 6 **Clause 51—**
At page 43, line 13, 'or', second appearing—
omit.
- 7 **Clause 56—**
At page 47, line 7, 'detention', second appearing—
omit.
- 8 **Clause 58—**
At page 48, line 28, 'by a police officer'—
omit.
- 9 **Clause 64—**
At page 55, lines 27 and 28, 'by a police officer'—
omit.

10 Clause 64—

At page 55, after line 36—
insert—

'Example of a disclosure made for a purpose mentioned in subparagraphs (i) to (iv)—

A lawyer briefs another lawyer in relation to work to be done for the detainee by the other lawyer in relation to an application, proceeding, complaint or representation mentioned in the subparagraphs.'

11 Clause 65—

At page 56, lines 26 and 27, 'by a police officer'—
omit.

12 Clause 67—

At page 58, line 15, '63,'—
omit.

13 Schedule—

At page 72, after line 17—
insert—

'corrective services facility see the Corrective Services Act 2000, schedule 3, corrective services facility.'

14 Schedule—

At page 74, lines 13 and 14—
omit, insert—

'senior police officer means—

- (a) for section 38 or 46—a superintendent, chief superintendent, an assistant commissioner, the deputy commissioner or the commissioner; or
- (b) otherwise—an assistant commissioner, the deputy commissioner or the commissioner.

superintendent or chief superintendent means a police officer holding the rank of superintendent or chief superintendent in the Queensland Police Service.'

Amendments 1, 1A and 2 amend clause 7 of the bill by providing for the appointment of judges and retired judges as issuing authorities for final PDOs, preventative detention orders. The clause, as it now stands, has the effect that anyone who is a judge or a retired judge of the Supreme Court is automatically an issuing authority. These amendments have the effect that a judge or a retired judge must be appointed as an issuing authority before he or she can exercise the powers of an issuing authority under the bill.

The amendments are consistent with the appointment of issuing authorities for final preventative detention orders under the Commonwealth Anti-Terrorism Bill (No. 2) 2005, which inserts proposed section 105.2. I did arrange for briefings for the Leader of the Opposition, the Leader of the Liberal Party and the member for Gladstone, representing the Independents, today so that everyone is aware of these amendments. For the record I must explain them.

As I mentioned in summarising the debate, we would have preferred to confer power to make final preventative detention orders on Supreme Court judges acting judicially. However, to minimise the risk of constitutional invalidity, we have provided for the powers to be exercised by judges acting in their personal capacity as retired judges. This reduces the risk of the High Court finding that the exercise of these powers by serving judges in a personal capacity is incompatible with the exercise of the judges' other functions, which of course are performed in a judicial capacity. Because of the constitutional complexity of the arguments, the relevant provisions, including clause 7, have been the subject of much deliberation. It was simply not possible to have the clause in its final form at the time of introduction.

I make the point again, because I know the member for Gladstone has an issue in relation to this, that next year I will be back in relation to this clause. The member will be consulted before that happens, and I will ensure that what she has suggested in her amendments is taken into account. Frankly, I do not have an argument with what the member has said. I want to do this next year, having looked at what has happened federally and interstate and get a total assessment of it all. So hopefully the member and I can agree on what should be amended here next year. That is subject to what happens, but I flag that to the member because I know that is an important part of her amendments.

Because the clause, as it now stands, confers powers on a larger class of persons than simply the serving judges of the Supreme Court, it is appropriate that individual members of that class be appointed as issuing authorities before they exercise the function. Amendment No. 3 corrects a drafting error by replacing the word 'application' in subclause 17(8) for the word 'order'. This provision relates to the unique rules that we have introduced in Queensland for the additional protection of persons under 18 or with impaired capacity. Members will recall that clause 61 provides that, if a person under 18 or with impaired capacity is detained, the director-general of the Department of Communities or Disability Services Queensland as the case may be must visit the detainee within 24 hours to ensure that the detainee understands the PDO and to ensure that the detainee's interests are being protected. Subclause 17(8) provides that the issuing authority in making the PDO may specify that the contact under clause 61 is not to take place. Subclause 15(3) specifies that if contact under clause 61 is not to take place, the applicant must indicate to the issuing authority how the contact would seriously prejudice

national security. This amendment simply makes clear that, if contact is to be suspended, it is to be specified in the order that the issuing authority makes, not just in the application of the issuing authority.

Amendments Nos 4, 5, 8, 9 and 11 all amend various provisions in relation to a detainee's entitlement to contact the Crime and Misconduct Commission or the Ombudsman. Clauses 47 and 48 are about a detainee's entitlement to be informed about the effect of an initial and final preventive detention order respectively. In each case the relevant paragraph requires the police officer to inform the detainee of his or her right to contact the CMC or Ombudsman. I think that needed to be clarified so there was no doubt about that.

Clause 58 is about a detainee's right to contact a lawyer. The relevant paragraph specifies that complaints to the CMC or Ombudsman is one of the matters about which communication with a lawyer is permitted. For those who are concerned about appropriate supervision of these matters, I draw their attention to clause 58 and the amendment, because it is about a detainee's right to contact a lawyer. This relevant paragraph specifies complaints to the CMC—so there is an overarching responsibility—or the Ombudsman. In other words there is an appropriate accountability mechanism.

Clause 64 creates an offence for a lawyer to disclose in certain circumstances the facts about a PDO order. While it is still in force, clause 65 creates a similar offence of disclosure by the detainee's parent or guardian. The relevant paragraph in each case exempts from the offence provision the disclosure by the lawyer, parent or guardian for the purpose of a complaint to the CMC or Ombudsman in relation to the PDO. In each case, the complaint to the CMC or Ombudsman must relate to the making of the PDO or the treatment of the detainee by a police officer under the preventive detention order.

These provisions are based on the Commonwealth bill where the only relevant officers are Australian Federal Police officers. However, members will have noted that the administration of the Queensland scheme as set out in clause 46 calls for the involvement not only of Queensland police officers but also of Corrective Services officers and possibly youth detention officers. As the CMC and the Ombudsman both have general jurisdiction covering all of these state officers, the provisions I have outlined should allow a detainee to contact the CMC or Ombudsman about treatment by not only police officers but also by Corrective Services officers and youth detention officers. Accordingly, amendments Nos 4, 5, 8, 9 and 11 amend proposed subsections 47(2)(e)(ii), 48(2)(d)(ii), 58(1)(d)(ii), 64(d)(iii) and 65(e)(i) respectively to provide that the complaint need not be confined to treatment by a police officer in connection with a person's detention under the order, but may relate to treatment by any other person over whom the Ombudsman or the CMC has jurisdiction. In other words, this is another very important accountability mechanism. The reason I need to go through that is, obviously, if there are any matters before the court, any judicial issues that are determined on these matters will take into account—and I say to this to the member for Gladstone—what I am saying as I explain these amendments to the House. That provides greater accountability and greater transparency. I think that is important, bearing in mind the flavour of the issues that the member for Gladstone raised in this House.

Amendment No. 6 corrects a drafting error in subclause 51(5)(b). Amendment No. 7 corrects a drafting error in subclause 56(1). Clause 56 confers a detainee's entitlement to contact family members. Compared with the five bills that have been introduced in other jurisdictions, this bill confers the broadest entitlements for family contact. For those who are concerned about natural justice, I highlight that to them. It is the broadest entitlement for family contact. Detainees will be able to contact family members: their parents, guardians or another family member, a person they live with, an employer, an employee, a business partner as applicable and another person the police officer approves. Only Victoria and Tasmania also allow that range of contacts.

Moreover, unlike the Commonwealth, South Australian and Victorian bills, this bill allows a detainee to tell these people that he or she is being detained under a PDO for up to 14 days. Only New South Wales and Tasmania in some cases allows for that range of disclosure. In combination, these provisions mean that Queensland has the broadest and best family contact provisions. However, the effectiveness of those orders is maintained by making it an offence for family members to knowingly disclose the detention to third parties. In other words, we have had a look at some of the interstate legislation and we have tried to reflect some of that here. But the real measures will be the amendments we introduce next year.

Amendment 10 inserts an example in subparagraph 64(d)(iv). Proposed new section 64 is the offence provision for lawyers who make unauthorised disclosures about a PDO. Paragraph 64(d)(ii) lists matters that are not covered by the offence. The government takes the view that the matters listed in subparagraph 64(d) authorise a lawyer to make disclosures to other persons, such as employees in a law firm or a barrister who is advising on one of those matters listed in paragraph 64(d). However, to make the intention of the provision clear, the amendment inserts an example in order to clarify that the categories of exception listed in subparagraphs 64(d)(i) to 64(d)(iv) include disclosures made to another lawyer in the course of briefing that lawyer in connection with a matter set out in subparagraphs 64(d)(i) to 64(d)(iv).

Amendment No. 12 corrects a drafting error in subclause 67(b)(i). Clause 67 is the offence provision for third-party disclosure. The offence arises broadly where a disclosure about a PDO is made

in contravention of one of the other disclosure offences contained in clauses 64, 65 and 66 and the person to whom the disclosure is made makes a further disclosure to a third party. The superfluous cross-reference was to a provision corresponding to the detainee disclosure offence under the Commonwealth bill. Because we have done the sensible thing and allowed a detainee to advise family members and other permitted persons not only that they are safe but also that they are being detained under a PDO, there was no need for the detainee offence provision. So it was removed. The amendment removes the superfluous cross-reference to the deleted offence provision. The police would still, of course, still be able to control the detainee contacting anyone.

Amendment No. 13 amends the dictionary to clarify the definition of 'corrective services facility'. Although the meaning of the expression 'corrective services facility' is reasonably obvious on the face of the bill, it is not formally defined for the purpose of the bill. Because of the substantial effects on individual liberties and to avoid any doubt about the validity of the legislation, there is a specific definition by reference to the Corrective Services Act 2002.

Amendment No. 14 amends the dictionary to clarify the definitions of 'senior police officer', 'superintendent or chief superintendent'. As introduced, 'senior police officer' means, in effect, an officer of the rank of assistant commissioner or above. It has significance in the following context under the bill: a senior police officer may issue an initial order for up to 24 hours. That provision is contained clause 17. I table that for the information of the House.

Mr DEPUTY SPEAKER (Mr Fouras): Order! Honourable members, under the provisions of the resolution agreed to by the House the time limits for the consideration of the bill have expired.

Amendments agreed to.

Mr DEPUTY SPEAKER: Member for Gladstone, I am sorry, but you cannot move your amendments. We have run out of time.

Clauses 1 to 87 and schedule, as amended, agreed to.

Third Reading

Hon. PD BEATTIE (Brisbane Central—ALP) (Premier and Treasurer) (3.29 pm): I move—

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

Question put; and the House divided—

Resolved in the affirmative under standing order 108.

PARLIAMENTARY AMNESTY GROUP

Hon. DM WELLS (Murrumba—ALP) (3.34 pm), by leave: I move—

That this House joins Amnesty International in their campaign to end the use of the death penalty throughout the world.

This morning an otherwise friendly foreign power killed an Australian citizen. That Australian deserved to be punished, but, unlike the authorities that condemned him, he had not taken human life. Throughout the world there are people awaiting their deaths at the hands of governments. Some may have committed crimes of violence; others, like Nguyen Tuong Van, may have committed drug or other offences; and some are prisoners of conscience who are scheduled to lose their lives only because they oppose their government.

A government that takes the lives of its own citizens is engaging in behaviour antithetical to its own purpose. The purpose of government is to enhance the wellbeing of its citizens, not to kill them. I would put it to those in the community who favour capital punishment that we cannot trust governments with the power of life and death over their citizens. Whether it be a tin-pot dictatorship or whether it be the world's most powerful democracy, in the end innocent people will die. Prisoners of conscience throughout the world are at risk of losing their lives, and many inevitably will, because the world tolerates a situation where governments have this power of life and death over their citizens. Those people who are going to die only because they oppose their own government, only because the singular law that they broke was one that was made up arbitrarily by a dictatorship, are going to lose their lives because insufficient pressure is brought to bear.

Countries like this that have a proud record of abolition, countries like ours that have demonstrated that capital punishment does not deter, states like Queensland in which it has been established quite clearly that when we abolish the death penalty the murder rate actually decreases, need to take the lead and need to insist to the rest of the world that a moral example be followed. I urge honourable members to support Amnesty International in its campaign to end the death penalty in order to avoid a continuation of the killings of people whose only crime has been to oppose the governments that have taken them prisoner.

Mr MESSENGER (Burnett—NPA) (3.37 pm): I second the motion moved by the member for Murrumba. I acknowledge that this Amnesty motion, having started in 1990, has become an important part of the recent tradition of the Queensland parliament.

Today a young Australian man was hanged overseas. This young man was hanged because he was guilty of trying to smuggle almost 400 grams of high-grade heroin, or almost 25,000 street hits of the drug, through Singapore into Australia. He was killed because he broke the Singaporean government's laws. He was killed because the Singaporean government decided not to show this young man mercy. He was killed because the Singaporean government decided to send a message to the drug dealers and the users of this world that drugs are death. It is a message that this government promotes widely in South-East Asia. I lived in Malaysia from 1984 to 1986, and I remember big billboards on the side of the road reading 'dadah is death'—or 'drugs is death'.

Recently I asked the Parliamentary Library to conduct a research project on the death penalty, and I would like to share some of its hard work with this place. I would also like to commend the staff for their sterling efforts throughout the year. I asked the library to research the number of people executed under a death penalty each year from 2000 to 2005. The information was sourced from Amnesty International's annual reports. Figures provided are only the cases known to Amnesty International. According to the report, true figures are certainly higher. For example, in the year 2000 the estimated number of people sentenced to death was 3,058 and the estimated number of people executed was 1,457. In 2004 the estimated number of people sentenced to death was 7,395 and the estimated number of people executed was 3,797.

According to Amnesty International, more than half of the countries in the world have abolished the death penalty in law or in practice. The situation may be summarised as follows: the number of countries where the death penalty has been abolished is 86; the number of countries with a death penalty for exceptional crimes only, such as treason, is 11; the number of countries that have the death penalty retained in law but have a policy not to use the death penalty or have not used the death penalty over 10 years is 24; and the number of countries that have the death penalty for ordinary crimes is 75. I table a list of those 75 countries.

For me personally this young man's death stirs up memories of the similar deaths of two other young men who were killed almost 20 years ago in Malaysia. Victorian man Kevin John Barlow and Western Australian Brian Geoffrey Chambers were convicted of smuggling 141.9 grammes of heroin in Malaysia and were hanged on 7 July 1986. I remember the feelings of confusion, helplessness and great sadness that I experienced while I was living in Penang and working on Air Base Butterworth, Malaysia, on the day that convicted Australian drug traffickers Kevin Barlow and Brian Chambers were killed by hanging. I remember over the months seeing the relatives of those young men at the RAAF hostel in Penang while their sons were on trial, and I witnessed their anguish from a distance.

Today I am experiencing those same feelings—confusion, helplessness and great sadness. Kevin Barlow was defended by Karpal Singh. Today he said that a case similar to that of Barlow and Chambers would probably return a different result because Malaysian law as it stands today has developed a lot more.

The best thing I can do to preserve my own sanity in the face of what I believe to be this legalised insanity is to pray. I pray that all illicit drug users and dealers, especially young people in Australia who quite regularly do dumb things, hear the message coming from Singapore, they talk about what has happened, they reflect on what happened and hopefully use this tragedy to make life-saving changes in their own lives, if not for themselves then for their families.

During the mid-eighties I worked for a number of months in Singapore. I have been impressed by its citizens' generosity, humour, kindness, intelligence, cleanliness, hard work, love for family and love for country. Singapore is a great democracy in Asia and values parliamentary traditions. I pray that the Singaporean government appreciates this Queensland parliament's tradition and hears the respectful message that is overwhelmingly coming from this place today and shows mercy on future convicted drug dealers.

If my brother were to be executed I would beg for mercy, and I would try every option to save his life. I believe in a heaven, a hell and a judgment day. I believe that because of my personal failings the only way I will get through the Pearly Gates is by the mercy, forgiveness and grace of God.

On his judgment day I pray that Van Nguyen received the mercy, forgiveness and grace of Jesus Christ that he failed to find here on earth. May his soul and the souls of all those who have died from heroin rest in peace. I commend the motion to the House.

Ms NELSON-CARR (Mundingburra—ALP) (3.43 pm): Today I rise to add my condolences to the Van Nguyen family and express my outrage at the death of Van Nguyen. It is a very sad day for Australia to see a fellow countryman executed in a foreign country for his crime. For whatever reason this young man committed his crime, the punishment certainly does not fit that crime. A 25-year-old man is now dead because of a barbaric practice sanctioned by a very small country. It is hard to believe that hanging still exists in this day and age. It is the ultimate cruel, inhuman and degrading punishment.

While Australia must respect the laws of other countries, we do not have to accept those same laws. It is incumbent upon us to spread the message to the world that the taking of a life as a punishment is unacceptable. We are privileged to live in a country with a fair justice system without the threat of capital punishment.

In Singapore, hanging is mandatory for those caught with more than 15 grams of heroin and those convicted of murder, kidnapping and some firearm offences. The judges have no choice but to sentence the accused to death even if there are mitigating circumstances. More than 400 prisoners have been hanged in Singapore since 1991, giving this small city-state possibly the highest execution rate in the world relative to its population of just over four million people. These execution figures include a significant percentage of foreign nationals.

The city-state has defended its capital punishment regime in the face of mounting opposition in Australia. The Singaporean government maintains that the execution of drug traffickers helps keep illegal drugs out of Singapore and that it has been effective in deterring crime. However, Amnesty International disagrees as scientific studies of crime have consistently failed to find convincing evidence that the death penalty deters crime more effectively than other punishments. Amnesty International is also aware of no evidence from anywhere in the world that shows a decline in drug trafficking that is clearly a result of the threat, or the use, of the death penalty.

Singapore's High Commissioner to Australia states that the law must be allowed to take its course and that Van Nguyen did not deserve clemency. He also believes Singapore has a responsibility to protect the many lives that would otherwise have been destroyed by drug syndicates. But what about Van Nguyen's life? I can only imagine what his mother, Kim, must be feeling today. In fact, I really cannot imagine what she must be feeling today. It is hard to lose a child in any circumstances. However, to have to fly to another country to visit your son on death row and then have to fight to even be able to hug him is unimaginable.

I know Australia has been divided on this issue. However, I congratulate those people who acknowledged the one minute's silence today. Those people who attended candlelight vigils, protests and sent letters of support have done Australia and Van Nguyen proud. I will conclude with the words of Van Nguyen's lawyer—

For a young man of 25 years, it's quite inspirational and it's a terrible waste that this life is going to end when he would have had so much to offer.

I commend the motion to the House.

Mr HOOLIHAN (Keppel—ALP) (3.46 pm): I have much pleasure in supporting the motion by the member for Murrumbidgee. The death penalty, as a method of punishing people in the civilised world, is utterly barbaric. The idea of punishment for breaking the law in a civilised world is that there be a penalty and that that penalty should impose a punishment but it should also provide for the rehabilitation of the offender and deter others. To take a person's life for any crime is nothing more than legal murder. To any civilised nation that is more than barbaric; it is an embarrassment.

If the death penalty was a deterrent to people who broke the law, then the United States of America would probably be the most law-abiding nation on earth. Many states of the United States still have the death penalty yet people continue to commit crimes.

There are some nations that have the death penalty because of religious convictions or because of their own ideas of civilisation. That is not one of the rules of law in the First World, and I suggest that Amnesty International's attempt to rid the world of the death penalty should be the rule of law in First, Second, Third or Fourth World nations.

There is no excuse whatsoever for legalised murder. People should stop to think about one of the main reasons why the death penalty should not be a method of legal punishment. It may well be within the conscience of people to believe that if a person commits a crime they should be executed. In 99 out of 100 cases the person may well be punished for a crime they committed. But what happens if one single person is executed and it is later found that they were not guilty of the crime? I think that is a greater sin, and it is a greater sin against humanity.

I unreservedly support any attempts to remove the death penalty from any nation in the world. Australia and Queensland no longer have the death penalty. I suggest that there are other more humane ways in this world of punishing misdoers. I commend the motion to the House.

Mr McNAMARA (Hervey Bay—ALP) (3.49 pm): To condemn a man to die without giving him the opportunity to persuade the court that this would in his case be disproportionate and inappropriate is to treat him in a way that no human being should be treated. This observation in 2004 by the Law Lords of the Privy Council in the case of *Watson v The Queen* in striking down a Jamaican law that imposed a mandatory death sentence for certain criminal offences still illustrates particularly well the limitations of the courts to protect human rights and especially the right to life.

While many legal prohibitions against the imposition of the death penalty can be found in domestic and international law, the recognition of a right to life arises from non-legal, moral or ethical dimensions imposed through parliaments. The law is not the father of liberty but rather its child. Liberty's father is an independent parliament which outlaws the death penalty altogether. We should never overestimate the capacity of the judiciary in protecting human rights, just as we should not underestimate the relevance of the non-legal dimension in the rights discourse.

There is a lethal danger in relying on courts to restrict the use of the death penalty when, as the judgment in Watson's case just quoted shows, even the highest courts and the most Western of democracies will concern themselves not with whether the death penalty is abhorrent to human rights but whether it is being arrived at and applied fairly and proportionately. Opposition to the death penalty is the business of parliaments first and foremost and that is why I support this motion today.

Criticism of the judiciary in applying the death penalty where it is allowed by statute proceeds upon an acceptance of the notion that there are such things as universal human rights and that they apply to all people everywhere. Universal human rights have been described as moral rights that are the rights of all people at all times in all situations. I suggest, however, that this approach is far too hopeful. Rights have no ontological status; they are the by-product of a particular kind of society, one in which the state operates constitutionally under the rule of law. In many societies which operate under the rule of law, however, the death penalty still persists and courts find themselves to be bound by law to consider its use.

Explicit domestic legal support for the death penalty is not easily ignored, even by the most rights conscious of jurists. State sponsored, court sanctioned executions have a very long history going back to the code of Hammurabi in 1750 BC and including such prominent victims as Socrates, Spartacus, Jesus Christ, Joan of Arc, Robespierre, Julius and Ethel Rosenberg and Ken Saro-Wiwa.

Capital punishment has long predated any discussion of human rights. It is a most serious concern that if the two superpowers of the 21st century, the USA and China, continue with capital punishment their leadership in this area will inevitably be followed. Certainly those two nations cannot use their political and financial influence to move any other nation away from the use of the death penalty while retaining it themselves. Both the USA and China justify the substantial number of annual executions by saying they are responding to the will of the people. Many politicians in the USA consider that vocal support for the death penalty will significantly enhance their election prospects. In China executions are carried out before large public audiences where it is claimed they reflect the popularity of the penalty.

The problem of executing innocent people is well known, yet despite significant advances across the broad spectrum of protecting human rights, the most important right of all, the right to life, seems to remain the most fragile. Justice Kirby of the Australian High Court noted that the 20th century saw an explosion in legislative protection of an array of rights including freedoms from interference in one's speech, religion, fertility, privacy and the protection of cultural, economic and educational rights. However, the death penalty's persistence, and particularly most abhorrently the practice of the state of China to sell the organs of the executed person in order to recover court costs, remains the most significant proof against any claimed universality of human rights. As Justice Kirby noted—

Inflicting the death penalty is the ultimate acknowledgment of the failure of civilisation.

The fault lies in a world that respects human rights if they are convenient and popular. In the end we must blame ourselves for the failure of civilisation for so long as the death penalty persists. I commend the motion to the House.

Hon. FW PITT (Mulgrave—ALP) (Minister for Communities, Disability Services and Seniors) (3.53 pm): I rise to support the motion that this House joins Amnesty International in its campaign to end the death penalty throughout the world. I have been a member of Amnesty for most of my life and never have I agreed more with what this fantastic organisation is trying to do than with this issue. Capital punishment is an abomination which must be opposed and eliminated. It is a view I have had all my life which has only been reinforced as growing evidence of the genuinely innocent having been put to death emerges as science uncovers these travesties of justice.

I support the right of sovereign governments to set their own penal codes but human decency and compassion demand that the limits of such codes should not include capital punishment. The most important element in this debate is that Singapore is not the only country where capital punishment is routine. The case of Van Nguyen is particularly abominable because the punishment, quite frankly, does not fit the crime. This young man made a mistake which he did not deny. But his mistake is nothing compared to the gross error of the Singaporean government in killing him.

I urge all right-thinking people to stand up for decency and take whatever opportunities present themselves to make it clear to the Singaporean government that its actions do not have support anywhere outside that authoritarian state.

Unfortunately, it is too late for Van Nguyen and his distraught family. But it is not too late for this House to take a stand against this barbaric form of punishment which has no place in the modern world. There is enough other killing in the world without the addition of state sanctioned death. I stop short of calling the actions of the Singaporean government state sanctioned murder because the definition of murder is unlawful killing. Unfortunately, in Singapore and some other countries this form of killing is lawful.

The sanctity of life is something all civilised people hold dear and no-one, whether a citizen or political leader, has the right to take another person's life. I support police and judicial systems around the world being tough on drug trafficking, but the action of the Singaporean government in killing Van Nguyen does not demonstrate toughness; it shows barbarity.

I grieve for the family of this poor young man who has been punished beyond the bounds of civil justice. I support the motion and I hope it can be a small step towards bringing an end to the perversion of justice known as capital punishment.

Ms LIDDY CLARK (Clayfield—ALP) (3.56 pm): I rise to speak in support of the motion before the House. On a day when Australians struggle to come to terms with the ramifications of Van Nguyen's execution, it seems timely to consider the issue of human rights. It is an issue which I believe our federal government has largely seen as an exercise in lip-service and finger pointing. One only has to look at the continuing plight of our Indigenous people to realise that we hold no moral high ground in the human rights area. I am sure we are all aware of the efforts of Amnesty International and its passionate vigilance over human rights abuses. The danger we face is to smile and nod and applaud its wonderful work in other countries while ignoring the need for that same vigilance in Australia. The conservatives among us may scoff and say that Australia has no political prisoners, we do not lock up those with contrary opinions to the government, we welcome free speech and informed debate. Though when we read between the lines of the proposed sedition laws we cannot help but wonder if that will remain the case.

Free speech is a basic human right and if that includes a dissenting voice against draconian governments then so be it. The federal opposition would do well to be aware of how vigorously these sedition laws are pursued for surely every time there is an election the opposition parties are advocating for the government to be overthrown. But our federal government would not do that, would they?

Again in this country it is easy to pigeonhole Amnesty's work as applying to countries like China where political prisoners and prisoners of conscience are singled out for inhumane incarceration and vilification. Again to the conservatives among us who may hold that belief, I would invite them to take a trip to, say, Baxter Detention Centre and discuss inhumane incarceration with some of the residents. You might argue that refugees are not political prisoners as such, but our federal government has certainly made them prisoners of politics—a subtle distinction at best.

Amnesty International does indeed have a presence in Australia largely to garner our support for its overseas campaigns, but do not for a minute think that some of our federal government's less scrupulous practices are not under scrutiny and we must not be so blinkered in our thinking as to believe that our society is free from that need, for human rights abuse is a broader category than many realise. It is not just about refugees and our Indigenous people; it is about racism on a broader scale and the politics of fear; it is about the abuse of women; it is about the abuse of children; it is about homophobia; it is about the spread of anti-Muslim sentiment—all of which we would like to think have no place in modern Australia but all of which exist to varying degrees.

As a government, part of our duty to those who elected us is to protect and enshrine the rights of our citizens. The federal government, through its current raft of proposed changes to IR, VSU and sedition, among others, has demonstrated itself either unwilling or incapable of that duty of care to Australians. When our alleged leaders do nothing to address very real human rights concerns in our own country, then I for one will continue to support organisations like Amnesty International, for it is through the work of Amnesty that our federal government may realise that next time it points the finger at a case of human rights abuse it may well be pointing into a mirror. I would encourage all members of this House to support Amnesty in every way possible. I support the motion.

Ms NOLAN (Ipswich—ALP) (4.00 pm): I rise to add my heartfelt support to this motion, which calls on governments, including ours, to join Amnesty in its campaign to end the use of the death penalty throughout the world. Opposition to the death penalty is, for me, an absolutely fundamental matter of principle. This is a view that I have held for as long as I can remember and quite simply one from which I cannot imagine beginning to resile. It is my view that the death penalty is always wrong and, in that sense, I differ from the Prime Minister, who has tended to have a different view on this issue virtually depending on the weather. While we do not have the death penalty in Australia and while he opposed it when applied to this poor, sad young man in Singapore, I believe that he embarrassed all Australian people when he said quite recently that he would not oppose its use in relation to the Bali bombers.

I well understand that as a member of parliament I have responsibilities to represent the people. I also have a responsibility to reflect my own conscience. I understand that Australian public opinion on the death penalty varies enormously—and at times I have seen support for the death penalty measured as high as 83 per cent—and it saddens me to know that half of all Australians supported the execution of Van Nguyen. I do not believe, however, that the position that we as individuals take here should ebb and flow on the tide of public opinion. I believe that as a politician I am better to stand for something unpopular than to stand for nothing at all.

There are three reasons why I can articulate my strong opposition to the death penalty. The first is that its use debases and brutalises us all. Protection of human life—protection of the life of our citizens—is the first and most absolute responsibility of governments. When governments enact the death penalty, they turn their back on that highest public principle. I give an example of the extent to which those who are not expecting the death penalty to brutalise, sadden and debase them have found the opposite to be the case. Two journalists, Brian Morley and Tom Prior, who were at the Ronald Ryan hanging, have recently spoken about the extent to which they were traumatised by those events.

Mr Morley says that he can still remember the execution 'in vivid technicolour' and it distresses him to talk about it. He does so because in the instant that Ryan fell through the trapdoor Mr Morley became convinced that the death penalty should be abolished everywhere. He says, as does Tom Prior—

I believe that if the Premier of the day and his cabinet had witnessed Ryan's execution they would have abolished capital punishment on the spot.

The second thoughtful reason for my opposition is that the death penalty as a deterrent to crime simply does not work. If it did, we would expect that those states of America which have the death penalty would have a lower crime rate than those that do not, but of course that is not the case. Indeed, all of the evidence suggests that there is quite simply no relationship and there is an argument that in brutalising the whole society and in devaluing human life the death penalty may in fact increase the crime rate rather than reduce it.

My third opposition is that if we have the death penalty it is fundamentally inevitable that we will execute the innocent. We have to understand that a justice system is a human system and, as a result, it has its flaws. There can be no doubt, sad though it is and as much as we do not like to admit it, that we currently every now and again lock up the innocent through our own human failings and the failings of our human institutions. While we have the death penalty, whether we mean it or not we will execute the innocent. The American states are currently resisting efforts to DNA test those who have been killed because those states know what it will reveal. For me this is a fundamental matter of right and wrong, of good and bad. I thank the Parliamentary Library, my good friend Justice Margaret White and my friend Robert Wensley QC who have assisted me in putting together some of these thoughts. I strongly add my support to this motion. It is my absolutely passionate view that the death penalty is, in all cases, wrong.

Hon. RE SCHWARTEN (Rockhampton—ALP) (Minister for Public Works, Housing and Racing) (4.05 pm): Mr Speaker, 16 years ago you and I were elected into this place, and this is the first time I have ever entered into this debate. I listened to the contribution of the member for Mulgrave. Unlike him, I have never joined Amnesty International, and I should have. I know that my colleagues the members for Mount Gravatt and Murrumba have been solid advocates. I guess it took a little bit of conscience rearing by what has occurred in Singapore to get me on my feet here this afternoon, because we take a lot of things for granted in this world. There but for the grace of God could have gone my son this morning or the child of any other member of this parliament. I wonder what sort of a debate we would have had this morning and I wonder whether we would have had a minute's silence for a member's son had they been hanged this morning.

Let me say this: I remember in 1967 when Ronald Ryan was hanged. I remember it very well, and I am glad the member for Ipswich, with her excellent contribution here this evening, mentioned him. If ever there was somebody who was hanged for a political reason, it was him. Bolte, the Premier at the time, was in strife. It was a great diversion. To this very day, there is still dispute about whether or not he was guilty, whether or not he actually pulled the trigger. Ironically enough, the bloke who escaped with him, a bloke named Walker, shot somebody outside and he is today still alive and eventually was freed. Ironic, isn't it, Mr Speaker? We talk about the one minute's silence this morning. I can vividly remember the silence around our kitchen table. My mother, a very devout Catholic, had us pray for the repose of Ronald Ryan's soul. It was a shame that everybody could not spend a minute, those who believe in Christianity, praying for the repose of that gentleman's soul this morning. I am a little saddened that it ended the way it did this morning but, as the Premier said, everyone is entitled to their view of the world.

The one thing I do know is that thousands of years of violence forced by governments on their citizens—whether they be kingdoms, elected governments or whatever—has not made for a better world. I challenge anybody in this parliament or anywhere else who wants to have the debate to point to an occasion where a violent action against an individual, for whatever reason, has actually prevented anybody else from doing something. It is often said that when Ireland was overtaken by the British 600 years ago it transposed what was a very peaceful people into a very violent people. I have been to a place called Wicklow, the prison there, where a bloke had 600 strokes across his back for stealing from the Lord. Guess who the magistrate was? He was the Lord. All these years later, there it was what the bloke wrote about him. The truth is that the violence that brought about that action in Ireland has just made for more violence. The reality is that anybody who believes that putting people to death or flogging them or cutting their hands off or beheading them or doing anything like that is going to solve the problem is wrong. As I said this morning, the drug barons of the world are still in business today. They will still be in business tomorrow. I have not seen many of them hanged. I have not seen many of them face the criminal courts of the world, and that seems to be the way it is.

For those Australians who today took some joy in seeing that man put to death, I say to them: do you think you have really achieved anything? Do you think you have solved the problem? Do you think you have not given a death sentence to the mum of that kid? Do you think you have solved the problem? The answer is no. I condemn any country—but in this case Singapore in particular; I condemn that government—for what it has done today. They are a disgrace to call themselves a civilised society. They are not; they are barbaric. They have killed an Australian person and they ought to be ashamed of it.

Hon. JC SPENCE (Mount Gravatt—ALP) (Minister for Police and Corrective Services) (4.11 pm): I am pleased to speak in support of the motion opposing the death penalty. Mr Speaker, as you mentioned this morning, for many of us 2 December is an anniversary. It represents my 16 years in this parliament. Anniversaries such as this are occasions for reflection. Today, I have been reflecting particularly on the first Amnesty motion that we debated in this parliament, which was held on the last day of the parliamentary sitting year in 1990. I was responsible for moving that motion on that last sitting day. I had quite a hard time convincing the government—the Premier of the day and the Leader of the House, my good friend Terry Mackenroth—to give some of the time of the House to debate a motion that was not a government motion. But Terry Mackenroth was persuaded. So we introduced this fine tradition. I think it is a good tradition for us all—on the last sitting day of parliament, as we leave for Christmas—to reflect on things that are outside the realm of the usual debate in this House, and that is the international sphere.

Over the years I have been very pleased that members of all political persuasions have participated in this debate. We have had a tradition of making this a non-partisan debate. In past Amnesty debates we have not let our own personal politics play a part. I hope that trend continues into the future.

Over the years—and I had a look today—we have discussed various topics in this Amnesty debate. We have discussed the use of torture, executions, degrading treatment, disappearances and political killings. We have discussed such occurrences in Sri Lanka, Mexico, Uganda and Kenya. In two Amnesty motions we discussed the conditions in Nigeria. In three Amnesty motions we discussed the conditions in Myanmar. I was pleased that Mr Springborg moved the motion in one of those years. We have also debated human rights in Algeria and East Timor. In two Amnesty motions we discussed violence against women. In another year the Amnesty motion was on stamping out torture.

I have been a member of Amnesty International for a long time. Although I do not participate as I once did, I still have occasion to write letters on behalf of Amnesty campaigns. This year I have sent a few letters around the world. I am a member of this organisation because I believe it does make a difference to have an international organisation look at one's human rights record.

With respect to the death penalty, Amnesty is achieving some results. I note in its publications that over the past decade an average of three countries a year have abolished the death penalty by law—having done so for ordinary offences and have gone on to abolish it for all offences. So our expressions on these issues can make a difference to governments around the world. Of course, too many countries retain the death penalty. In fact, I understand that 76 countries still have the death penalty. So in that regard we have some way to go.

As the prisons minister in this state, I regularly think about these issues. I visit the prisons on a regular basis. I am sure all of us would agree that prisons are pretty dreadful places and that punishment of deprivation of liberty is not something that is taken lightly. But I think in Queensland we should be proud of the fact that we have a civilised criminal justice system, that our prisons are probably amongst the world's best practice and that in Queensland prisoners have their own rooms with bathrooms. They have a television and they have access to books and educational materials. We provide our prisoners with opportunities for education and training and work. We also provide good medical attention, good food et cetera. So I am pleased to be the prisons minister in a state where we have a very fine prison system despite the fact that, of course, we wish we did not have to have them at all.

The other point to make about our prison system is the layers and layers of accountability. The rules are applied consistently to all prisoners. If that is not the case, then our prisoners have the opportunity of making a complaint, which will be independently adjudicated. That certainly does not occur in most other countries.

Obviously, there is more interest this year in this Amnesty debate because of the dreadful killing of Van Nguyen in Singapore this morning. If anything good is going to come out of that killing with respect to Australia's consideration of the matter, I think it has really encouraged Australians to think about how the punishment should fit the crime. I believe that most Australians think that the death penalty is too serious a punishment for the crime that Van Nguyen committed. I hope that Australians use this moment of reflection on this issue to think about their attitudes to other criminals and the penalties we should be imposing on them.

Another thing which I believe has been a positive coming out of this tragedy is that young Australians are probably learning that the laws in other countries are a lot tougher than the laws in Australia. If we can encourage young Australians to be aware of that and certainly not traffic or indulge in drugs in those countries, that will be a positive out of this very sad event today.

I am pleased to support this motion. Like the other members who have spoken to this motion, I think the death penalty is an abhorrence. I am hopeful that the Singapore government will receive a strong message from the actions of this parliament today.

Ms JARRATT (Whitsunday—ALP) (4.18 pm): It gives me pleasure to rise this afternoon on the last sitting day of the parliament for 2005 to speak in support of the Amnesty motion before the House.

I think the events of this morning will live long in the memories of most of us in this place and, I am sure, across Australia. We witnessed the deliberate killing of a young man the same age as my children. I have two sons aged 22 and 24. This morning, as a mother my heart nearly broke. It is a terribly cruel thing to do and, by joining in this debate today, I hope in some small way I am going to contribute to a future in which capital punishment plays no part.

Accepting capital punishment as a rule of law gives legitimacy to the killing of one human by another. There is no other field of human endeavour in which we accept this other than in defence of one's country. To my mind, capital punishment is a slight on all those who have stared down death on the battlefield in defence of their country.

I am very saddened that this morning we could not rise as one in this House in quiet contemplation of the sadness of the futility of the events of today. While I admire the member for Burnett for seconding the motion—and I am sure he is very sincere in his sentiments of prayer being his way of dealing with emotions that he felt today—I would have had so much more respect for him had he stood by us this morning in prayer and said to the world that that was how he felt.

However, I think my feelings on this issue are fairly obvious. As many other members in this House have said today, for all of my life I have known in my heart that capital punishment is wrong. There is no defence for killing another human being in this way. It is never about rehabilitation; it is always about revenge and certainly never about showing mercy. Mr Speaker, I thank you for the opportunity and I thank the member for Murrumba for moving this motion this afternoon. I wholeheartedly support it.

Ms MALE (Glass House—ALP) (4.20 pm): It gives me pleasure to rise to support the motion moved by the member for Murrumba. As we have been speaking this afternoon, all members in this House would agree that the death penalty is an abomination, and it is up to us to do everything we can to make sure that countries around the world realise what our thoughts and opinions are on this and that we do our best to make sure that it is abolished throughout the world.

Just as a little bit of history of the death penalty, the New South Wales Council for Civil Liberties notes that the international trend is towards the abolition of the death penalty, with abolitionist states now outnumbering retentionist states. Amnesty International in 2005 states that as at March this year 83 countries have abolished the death penalty, another 13 countries retain capital punishment only for crimes such as war crimes, and another 22 countries have a policy not to execute and have not done so for more than 10 years. But the use of the death penalty is still the decision of individual states. The Universal Declaration of Human Rights 1948 makes no mention of the death penalty and the International Covenant on Civil and Political Rights 1966 only restricts retentionist countries to using the death penalty for the most serious of crimes. As I have said before, who are we to decide what are the most serious of crimes? It is actually wrong to take someone else's life, and we need to make sure that message is heard loud and clear by those retentionist states.

The USA retains the death penalty, despite having a sophisticated Bill of Rights. The New South Wales Council for Civil Liberties notes that some 40 US states retain the death penalty, along with the federal government and the US military. Since 1976 there have been 948 executions in the USA. However, the New South Wales Council for Civil Liberties notes that support for capital punishment, which was trending down from 80 per cent in 1994 to 66 per cent in 2000, has jumped back up to 71 per cent in 2002. In the context of a rights discourse, it is impossible to ignore the impact of such strong public support for the death penalty both on the legislature and subsequently on the courts.

Importantly, since the 1980s and 1990s, courts have tended to argue against the death penalty, not as a right-to-life issue but on the much broader rights ground of resisting cruel and inhuman punishment. It was interesting to note that the member for Ipswich stated that polling yesterday showed that about half of the people in Queensland were supportive of the death penalty for Van Nguyen. I find that very disturbing, as she did as well. I wonder, too, what that would mean if we had a major terrorist act here. Would people believe that the death penalty was appropriate in that particular case? I would be horrified to think that members of Australia and members of the Queensland public would actually think that that would be an acceptable punishment to those particular crimes.

It is up to us to stand up as a society and say, 'We don't support the death penalty. We don't support what is, in essence, revenge killing.' We have a system of law in place. We have a system of justice that provides appropriate penalties for particular crimes and those particular penalties should never, ever include the death penalty, and we need to make sure that we fight in Australia to retain that and also campaign to stop other countries from doing it. As I said earlier, I support the motion moved by the member for Murrumba.

Motion agreed to.

SPECIAL ADJOURNMENT

Hon. RE SCHWARTEN (Rockhampton—ALP) (Leader of the House) (4.23 pm): I move—

That the House, at its rising, do adjourn until 9.30 am on Tuesday, 14 February 2006.

VALEDICTORY

Hon. PD BEATTIE (Brisbane Central—ALP) (Premier and Treasurer) (4.23 pm): On behalf of the government I wish all members and their families a very happy Christmas, and a healthy and successful 2006. This has been a big year in which we have addressed some very complex and important issues.

Parliament this year sat for more than 550 hours spread over 48 days. This year, the Queensland parliament has again proven to be more family friendly, with only two sittings beyond midnight. The government introduced 72 bills and 60 government bills were passed. Six private members' bills were introduced. One hundred and thirty-four paper petitions signed by 132,615 Queenslanders were tabled. Forty closed e-petitions signed by 27,552 petitioners were tabled, and there are 12 e-petitions still open.

I want to thank a number of people. Firstly, I thank Speaker Tony McGrady for his dedication to the smooth and efficient management of the parliament. I also thank the Chairman of Committees, Jim Fouras, the temporary chairs and the parliamentary committees for all their work.

I also want to thank the whips on both sides of the House: on our side, Terry Sullivan, and deputy whips Phil Reeves and Rachel Nolan; and the whips for the opposition parties, Ray Hopper and Mark McArdle. Your efforts have contributed greatly to the efficient running of the House.

I thank my Deputy Premier and Minister for Finance, State Development, Trade and Innovation, Anna Bligh, for her tremendous support and willingness to step into the breach whenever needed. Her support for me since she became Deputy Premier over four months ago has been invaluable, and I thank her personally for that. I also thank her for her excellent work as Leader of the House up to July this year. I also want to thank the new Leader of the House, but I will come back to him for special mention in a minute.

I cannot overlook the former Deputy Premier and Treasurer, Terry Mackenroth, who was instrumental in giving Queensland the economic management needed to be Australia's economic engine room. He will also be remembered for his work in the development of the South East Queensland Regional Plan and the South East Queensland Infrastructure Plan, which guarantees this region has the right mix of development and conservation into the future.

I thank the Leader of the House, Minister for Public Works, Housing and Racing, Robert Swarten, for the important role he has played in ensuring that this place runs smoothly. He does an excellent job. Thank you, Robert, for that. I also thank his counterpart on the opposition side, the member for Beaudesert.

We have come a long way this year. As I said, it has been a tough year. Queensland had its first mini budget and adopted a health action plan that will put \$6.4 billion more into health over five years. We have also taken the unusual but necessary step of providing funding for 235 doctor training places at Griffith University, with an agreement bonding these doctors to devoting several years to working in Queensland's regions. In an Australian first, we have finalised a 20-year infrastructure development plan for south-east Queensland, involving \$55 billion worth of projects. My government recognises the importance as well of other initiatives that were taken, but I will not go through those now as this is not the opportunity to do that.

My government recognises the importance of the opposition and the Independents in parliament. Both play a crucial role in examining the activities of the government and advancing policy debate. I thank the opposition leader for the way he has performed his role this year, and I also thank the Liberal Party leader, Bob Quinn. I could not have done it without them.

The Queensland parliament functions well because of the hard work of support staff. I thank the Clerk of the Parliament, Neil Laurie, and all of the Parliamentary Service staff. Thank you, Neil, for your hard work. I also thank the Deputy Clerk, Siwan Davies, and her staff in the parliamentary committees office. I know this is a little warmer than Wales; nevertheless, I am sure you are settling into the heat. Just wait until February!

Chief Reporter, Lucinda Osmond, and her hardworking Hansard staff are enormously talented. They manage to transcribe what is said on the floor of parliament, which is not always as easy as it sounds. I thank them for their patience, understanding and the mind-reading that is often required to work out who said what when several people are talking at once. I would like to incorporate my thanks to you all—that was a little in-joke. Frankly, Hansard in this place are brilliant. They do a magnificent job. I think all members appreciate it. I do genuinely say to our Hansard reporters that you are valued. You do an absolutely magnificent job. Frankly, at times I think my job is tough, but I reckon working for Hansard would have to be tougher. I reckon it is even tougher than being the Minister for Health!

Mr Terry Sullivan interjected.

Mr BEATTIE: We will work out who will swap. If anyone in Hansard wants to come down here, I know the Minister for Health might want to go up there, so work out who wants to swap. Anyway, the long and short of all that is that Hansard is brilliant, and we all know that. I really want to genuinely thank them from the bottom of my heart.

The Office of the Queensland Parliamentary Counsel has worked miracles again in producing meticulous legislation under sometimes trying conditions. I also extend my thanks to Peter Drew, the Parliamentary Counsel, and his team. As we know, this is a very active government when it comes to the legislative program and, of course, the Parliamentary Counsel needs to work hard.

I would also like to thank Ian Thompson and his team in the Table Office. They do an excellent job in managing reams of paper and megabytes of electronic information. We are all looked after very capably by the attendants, and we are grateful for the fine work that is done by the security staff. They do a great job. I would also like to thank the Operations Coordinator, Kevin Jones, and his team, including the parliamentary attendants who provide us with a fantastic service on the floor of the House.

I want to thank Mary Seefried and her library staff for their help and research all through the year. Last night I had the pleasure of presenting one of the major sporting awards to Mary Seefried as well. She is a very talented woman. I say to Mary: congratulations on your award from last night and well done.

During the long hours that we spend in parliament, executive chef Sucil De Silva and his team in the kitchens do a great job at keeping us well fed—thanks to all of them—and some of us perhaps are too well fed. I guess that is a consequence of being a good chef; everyone wants to eat the food. I say thanks to the thousands of Queenslanders who attend functions here. They are always very pleased with the catering from Jaakko Ponsi and his team. I say thanks to them as well.

In addition, I thank the Director of Corporate and House Services, Michael Hickey; the Manager of Property Services, John McDonough; the Manager of Human Resources, Peter Morris; the Manager of Financial and Administrative Services, Craig Atkinson; the Manager of IT Services, Mike Coburn; and all their staff. They work very, very hard.

There are many more people whom we could not do without such as the switchboard operators, the gardeners and all sorts of backup staff—

Mr Schwarten: The cleaners.

Mr BEATTIE: The cleaners. They do a very good job.

Mr Schwarten: Q-Build.

Mr BEATTIE: Q-Build—I take the interjection from the relevant minister. I want to thank them as well.

Every member of the House also relies on their electorate staff to manage the endless flow of constituents who need our assistance. That is true for all of us, but it is particularly true for ministers who not only have to carry out their ministerial responsibilities but also their electoral responsibilities. It is probably the only shortcoming in the Westminster system. In common with a lot of people in this House, I have looked at the American system and the Westminster system. The Westminster system is by far the best system. But one of its weaknesses is that to be a minister we also have to be a member of parliament, which means we have both responsibilities. If we hold a marginal seat—if there ever were such an animal left—it makes it incredibly difficult, as the Minister for Small Business, Information Technology Policy and Multicultural Affairs is only too well aware as he laughs nervously to my right. Our electorate staff are invaluable to all of us, and I thank each and every one of them for being at the front line of our services to Queensland. I would like to make special mention of Vicki Nicholls, who has been with me in various roles for many years.

Mr Reeves: Hear, hear! A good Mansfielder.

Mr BEATTIE: She says she votes for the honourable member, but I will talk to her! I would like to thank all of my staff for their help and dedication throughout the past year. My office has experienced some significant changes this year. We have lost some wonderful people who have moved on to get a life, beginning with Fiona Kennedy, who was director of the government media unit until September. Quite frankly, Fiona was wonderful. She was a tireless and very dedicated worker. I often mentioned to her that she was our social conscience—and heaven knows at times we need that. Now we have to rely on our own. So you are in a lot of trouble is all I can say! I would not worry too much about that. I think we have demonstrated that we have a social conscience on a number of key issues, including one today even though our political opponents were trying to beat us up for it. We will wear that, to be frank. That is the nature of politics. It does get grubby. We know how to cope with that in the long term.

Around the same time Fiona moved on Steve Keating, the deputy director of the Government Media Unit, decided it was time for new challenges and, I am sure, new achievements.

Ms Bligh: He moved to greener pastures.

Mr BEATTIE: He has been appointed senior ministerial media adviser to the Deputy Premier. I have refused to pay him danger money. I know he is providing the Deputy Premier with the same high level of expertise and dedication that he gave to me. He is a wonderful family man and a good guy. I say: we all love you, 'Keato' and good luck; you will need it.

I would also like to mention Leon Allen, who was my senior economic adviser. After a distinguished career as a public servant Leon was recently chosen through a merit selection process as general manager for a retail competition project with Ergon. I know he is providing Ergon with objective, professional and experienced advice. I know he was attacked in the parliament this week. I want to say to Leon Allan, someone who I regard very highly: just ignore that sort of political viciousness. We will leave that to those in the political gutter. Leon is a decent person. He won this position on merit. There are a lot of different people in politics, but generally they fall into three categories: the good, the bad and the ugly. I have to say he is in the good category. I am happy to stand here and anywhere else and defend him and his integrity. So the critics can please themselves.

I want to thank the staff of the other ministerial offices who work very long hours on behalf of their ministers. I am as determined today as I was seven years ago to establish Queensland's reputation as a Smart State. It is not about slogans on licence plates; it is about substantial jobs for Queenslanders. That is why we have a 4.9 per cent unemployment rate now. Those policies work. In order to achieve that goal, we rely on having a smart Public Service for providing high-quality advice and putting our policies into practice. I want to thank my current director-general, Ross Rolfe, his predecessor, Leo Keliher, and all the other directors-general and all the public sector employees for their hard work.

I would also like to mention Chief Pilot Miles Currington and his team at the Government Air Wing for all their assistance to the government and especially the tremendous work they do in emergencies and organ retrievals for transplants.

The task of telling the public about all of the important decisions and debates we have in this place is the role of the Fourth Estate. We do not always agree with what is reported by the media, but we do agree that the work of the gallery is vitally important to the state. I hope that they will continue to resist being pressured and bullied by anyone in the political process or any political party and maintain their independence. In my view, late-night phone calls should be resisted. It is the same with letters to the editor and talkback radio campaigns that are run by some in the political process to pressure those in the media. They should be smart enough to read through it and should continue to act independently and not be duped.

I would like to acknowledge that this is the 25th year that Spencer Jolly has been in the gallery. That is a remarkable achievement. He has devoted a quarter of a century to providing Queensland with objective and factual reporting on the politics in our state. We should all acknowledge the contribution that Spencer Jolly has made. Spencer Jolly is totally impartial, totally fair, totally professional and totally dedicated. He is someone for whom I believe all sides of politics have enormous respect. I want to again thank him for the contribution that he has made. I simply say to Spencer: well done.

I thank all the members of the parliamentary media gallery for their hard work. I know that from time to time some interstate media representatives like to demean the media in this state. I read from time to time where our media gallery is criticised. I want to say to the gallery that, while I do not agree with everything that is said and they are not perfect any more than my government, me or the opposition, I think the media gallery here is one of the best in Australia. In many respects, on occasions they are the effective opposition. While I do not particularly like that role, it is an important role if democracy is going to be upheld and democracy is going to be strong. Therefore, I pay tribute to the gallery for the effort they have put in.

I also want to pay tribute to my team. Mr Speaker, I am fortunate that, along with you and a number of my key colleagues, including the Leader of the House and police minister, a string of other ministers, the Leader of the Opposition and the Leader of the Liberal Party, I was elected to this place 16 years ago today. In the time that I have been Labor leader, which will be 10 years February next year, I have had the honour of leading not just a great caucus and not just a great party—the greatest party, in my view, and I know those opposite will allow me the latitude of saying that because that is my view—I have had the honour of leading a great cabinet team, a team that is working incredibly hard, a team that on this Sunday will get on a plane or a bike perhaps—

Ms Bligh: We'll never get there.

Mr BEATTIE: That is right—and we will go to Thursday Island. Some of them will get out of bed to catch a plane at about 5.35 am.

Ms Bligh: Two planes and one bus.

Mr BEATTIE: Yes, two planes and one bus. Mr Speaker, I know that you will understand better than many—because, as the member for Mount Isa, you have done this for many years—that when they get on the plane at 5.35 there is an enormous level of excitement and support for my decision to go to Thursday Island. Indeed, I have never seen such a level of enthusiasm for a decision I have made!

Mr Schwarten: Some of them won't get home this weekend.

Mr BEATTIE: I take that interjection. Some of them will not get home this weekend. They work very hard for the people of Queensland. Yes, I know they get paid well for it and I know that there is not a lot of sympathy for politicians. But, frankly, my team works very, very hard. I thanked my deputy earlier, and I thank her again. I also thank all my cabinet colleagues for the loyalty and the support that they have given me. As I said, in the almost 10 years that I have been the Labor leader, I have enjoyed enormous support from my colleagues. I want each and every one of you to know that I deeply appreciate it.

I want to pay tribute to the families of members. They put up with our long absences while we are in parliament, in our electorates at meetings and often working to help Queenslanders in distant parts of our great state. Members of our family often work as unpaid secretaries, caterers and counsellors. I want to thank my wife, Heather, and my three children Larissa, Matthew and Denis.

In addition to thanking members' families, I should acknowledge for the record that two of my staff members—Steve Bishop and Rob Whiddon—have now been with me for a long period of time. In fact, Steve Bishop has worked with me now for over 10 years. He worked for me when I was health minister and he carried on working with me during the time that I was Leader of the Opposition right through until now, which means that he has worked with me for over 10 years. He has given dedicated service to the people of this state, and I want to say thank you to Steve Bishop. I have appreciated his hard work.

Rob Whiddon came to work for me when I became Leader of the Opposition on 19 February 1996 and he has been with me almost 10 years. Rob Whiddon has also demonstrated the same degree of loyalty. I appreciate both of them. Damian McGreevy, my deputy chief of staff, is in the same category. They have all worked very, very hard. I do not want to single out any more people, but since they are coming up to their 10th anniversary I did want to acknowledge that.

To all honourable members and their families, I wish them a happy Christmas. I wish you a safe and peaceful holiday. I look forward to 2006 with a relish.

Mr Purcell: Do you want some relish?

Mr BEATTIE: I will give you relish! Just come back and it will be better than the relish you have been handing out, let me tell you.

Mr Speaker, 2005 has had its highs and it has had its lows, but I have to tell you that, at the end of 2005, I am invigorated for 2006. In fact, I am disappointed that parliament is getting up, because 2006 will herald a very exciting year.

Mr SPRINGBORG (Southern Downs—NPA) (Leader of the Opposition) (4.42 pm): It is the traditional time of the parliamentary year when I join with the Premier in making this valedictory address. The parliament is a unique place, adversarial in nature, but this opportunity provides us all with the time to recognise our great parliamentary traditions and the greater role that we were elected to perform. One of the traditions of this place is to deliver a valedictory address which does not engage in the customary vigorous debate that this parliament demands, and it is my intention to honour that tradition.

First of all, we must reflect on those former parliamentarians who are no longer with us. Sir Joh Bjelke-Petersen, who served Queensland with great distinction and is our longest-serving Premier, was a member of this House for almost 40 years. For Val Bird, Geoff Chinchen, Peter White and Brian Kehoe, this year has been an extremely difficult time for their families. We must reflect and thank these people again for their contributions.

We remember those fine Queenslanders lost in the Boxing Day tsunami, particularly former ministerial staffer Caroline Rosso, with whom I know you had an extremely close connection, Mr Speaker. We also remember the 15 people killed in the Lockhart River plane crash; those people who died in the Sea King helicopter crash in Indonesia; Lady Enid Fletcher, the wife of Sir Alan Fletcher; and Alex Freeleagus, the former Honorary Consul-General of Greece, a great friend to many in this place.

We also take time to remember those unfortunate victims of Queensland's greatest surgical disaster—the victims of Dr Jayant Patel, whose incompetency led to their premature death and has left a lot of people suffering needlessly. At this juncture, let me once again acknowledge the fine and courageous efforts of nurse Toni Hoffman, whose persistence led her to our member for Burnett, Rob Messenger.

I also take this time to thank the tremendous efforts of the Hon. Geoff Davies AO and his commission predecessor, Tony Morris QC, and all of those involved in the health commission of inquiry.

Appreciation is extended to you, Mr Speaker, and also to your staff for the role that you play in this place and their role in assisting you. I thank the Leader of the House and the Leader of Opposition Business for the role that they play in the smooth running of this place. I thank the Premier and his ministers for the role that they play as leaders of government, for their administration of Queensland and for the briefings and the assistance which they have provided to various shadow ministers and our staff throughout the year.

To my very hardworking and dedicated Deputy Leader of the National Party and close friend, Jeff Seene, thank you very much for your support throughout the course of this year. To the Leader of the

Liberal Party, I thank you very much, Bob, for your support and for the work which we have been able to do in this parliament in the role of opposition during the course of the year.

I thank all of the shadow ministers as well as National and Liberal members of parliament for their support and for their contribution on behalf of the opposition. It can be rather challenging in opposition, and those who have sat there would know that. Sometimes there is almost an air of futility. Sometimes you wonder what more you have to do or what more you could have done. There are great periods of aspiration, great periods of elation and jubilation, and sometimes periods of let-down, but I think that is not dissimilar to the sentiments which are experienced in government as well. I think it is also timely that we reflect on the fact that the role of government and of opposition ultimately changes.

To the National, Liberal and Labor whips, thank you very much for the role that you play in ensuring the proper and timely carriage of duty and business in this place as well as the cooperation which you show in making sure that we have some semblance of order to our speaking list. I also certainly acknowledge the role which the Independents and the One Nation member play on the crossbenches.

The parliamentary committees and committee support staff do a wonderful job in providing backup to members of this parliament and are also an extremely important accountability device which this parliament must have and should always have.

I thank the Clerk of the Parliament, Neil Laurie, and his deputy. I welcome the Deputy Clerk to Queensland. I know that you have been welcomed before, but I join with the Premier in wishing you all the very best as you enjoy your first Queensland summer. I hope that you have enjoyed the time that you have been here to date. I also thank the staff of the Clerk of the Parliament for their contribution. I think we are very fortunate to have the Clerk and the deputies who do such a fantastic job. We always get fearless and frank timely advice. We know that the administrative matters of this parliament are always dealt with very well and very efficiently. We can have absolute confidence with regard to impartiality of advice.

To the chief reporter, Lucinda Osmond, and the staff of Hansard, I know the Premier has indicated the sentiments of all members in this place in acknowledging the role of Hansard and the challenges which they have. I thank the Parliamentary Counsel and staff who are not only used by the government but also by the opposition and the crossbenchers in the preparation of legislation, private members' bills and amendments.

I thank the Parliamentary Librarian, Mary Seefried, and library staff for the timely and dedicated way in which they conduct research and answer inquiries for all members of this place. To the parliamentary education services officers Graeme Kinnear and Roylene Mills, thank you very much. The services which you provide are very much appreciated by us and by our electorate officers in general.

I thank the parliamentary staff in general but especially—it is always very difficult to name names—the Sargeant-at-Arms, Ian Thompson, Bob Bradbury and Bills and Papers Office staff—I understand that Barrie Tebble is leaving today after 26 years of fine and dedicated service—and Gillian Thomas, who is also leaving today to take up a role with the Commonwealth government.

I thank the parliamentary attendants. I thank Pat Kane, who retired a couple of months ago. He is a great bloke—somebody whose smile and buoyant personality we miss. Heartiest congratulations go to Dennis Charters, who I understand is undertaking a commitment ceremony here tomorrow. For your information, a commitment ceremony is being held because Dennis's former wife will not agree to a divorce, as I understand it.

Thanks go to Kevin Jones and all parliamentary officers, and to Corporate and House Services director Michael Hickey, HR manager Peter Morris and their staff. I thank members' executive support, particularly Elaine Tartaglia and Jan Fawcett; Catering Services, Jaakko Ponsi and staff; Property Services, John McDonough and staff; the cleaners—a very special acknowledgment goes to Maria Casabella, who officially retired this year; the gardeners and the maintenance staff.

To all our electorate staff, thank you very much. They have done a fantastic job in supporting all members of parliament. I thank my personal staff for the fantastic work they do and the personal staff of the Leader of the Liberal Party, who will mention them.

To the media, I reflect what the Premier said a while ago. They do play a very important role. We do appreciate them. We may not necessarily like what they print from time to time, but it is important that they carry out that role because it is an integral part of our system of democracy.

Last but not least, I must thank my wife, Linda, my children Megan, Jens, Laura and Thomas, and all the wives and family members of all parliamentarians and their partners.

I extend my seasonal greetings to my parliamentary colleagues. May each of you and your loved ones have a safe, happy and healthy Christmas, and best wishes for a successful and prosperous new year.

Mr QUINN (Robina—Lib) (4.52 pm): On behalf of the Liberal Party I wish all members of the House and their families a happy and relaxed Christmas and offer my best wishes for 2006. The year 2005 has been another interesting and challenging year in the political landscape of Queensland. We

have all met these challenges and tests in our own individual styles. Some of us have handled them well and some not quite so well, but that is the nature of politics. We take the good with the bad, the rough with the smooth. We all understand that because we are members of the House; we expect no less.

Last year I mentioned that we had three election campaigns. It was an extremely busy year. This year we had a series of by-elections. I had the honour of escorting into the chamber our two newest members of parliament. They have been quite welcome additions to the Liberal team. Both the member for Chatsworth and the member for Redcliffe are quality MPs and have already made significant contributions to this House.

All of us in this House make a contribution. We have our different personal points of view and our different political philosophies, but we all act with the best of intentions to try to improve the lot of all Queenslanders, to make this a better place for our families in the future. We should never forget the one thing that binds us all together—that we do act with the best of intentions in this chamber.

I must mention my deputy, Bruce Flegg, who is a tireless worker on behalf of the Liberal Party. He stands in for me, as all deputies do, on various occasions. Bruce, in his inimitable style, is one of those fellows who can hardly sit still. From time to time we do need to reign him in, but we do let him loose occasionally.

Mr Beattie interjected.

Mr QUINN: Today has been one of those days, as the Premier has found out.

Mr Speaker, I thank you, the Clerk and the staff for the way they have made sure that this parliament has operated efficiently over the past 12 months. Sometimes it is a thankless task. Sometimes members can be somewhat demanding, but the Clerk and his staff always manage to get us the relevant materials and papers that we need to make sure that we do participate fully in these debates in an informed way in the chamber. So I thank the Clerk and his staff.

The other parliamentary staff, whether they be attendants, catering and cleaning staff, Hansard, security, the gardeners and the librarians, play their part in making sure that this is a House for members to come along to and, in some cases, stay for a period of time and work productively in this chamber. Without their support our job would be almost impossible. They do make it much more pleasant for us to be here. As I said, a thankyou goes to those people.

I mention the media. Much has been said about the relationship that we have with the media in this chamber. It is sort of a love-hate relationship. For some of us it is a bit more love than hate and for others it is the other way around, but it is a symbiotic relationship—one where we need them and they need us. On that basis, I think there is mutual respect.

I also mention Spencer Jolly and his 25 years in this chamber. I have been here for 16 years. I do not think that Spencer has changed one iota in that 16 years. He is one of those timeless people. I remember him being much the same today as he was when I arrived here. I would not venture to count the number of confidences and secrets that he has put under the cone of silence that we have all passed to him from time to time. He is a great keeper of secrets and confidences. I think he has the respect of all members in this chamber.

I say thank you to my office staff on level 9, who put up with me when I am in this House. I also say thank you to my own electorate office staff. As all leaders know, we rely on people around us, whether they are in their electorate office, to keep things ticking over when you are not there, or whether they are in the leader's office. They all work to make sure that we can perform to the best of our ability.

Finally, to our own families, and mine in my particular, I say a very big thank you for their support throughout the year. As everyone in this chamber knows, we could not possibly do the job we do here without the support of our families and, in many cases, our friends. They make it possible for us to almost be in two places at once. In many cases, whilst we enjoy ourselves and concentrate on the job that we have to do, it is our families that bear the cost on many of those occasions. We should never forget that it is our families who do take a fair bit of the weight on these occasions.

In summing up, it has been another busy and testing year for us as members of parliament. I wish everyone a happy and relaxed Christmas. We should go home to our families, take some time off and rebuild those relationships. Have a great time with your families, and I will see you all back here in 2006.

Mrs LIZ CUNNINGHAM (Gladstone—Ind) (4.57 pm): Previous speakers have listed the various departments in this parliament that keep the parliament running and ensure that each of us here can, as efficiently as possible, represent our communities. On behalf of the Independent members and the One Nation representative, I add our very special and hearty thanks to each and every staff member of this parliamentary precinct. We thank every single one of them for their good nature, their good humour and the great help that they provide each of us so that the time that we have to spend here is not only productive but also as enjoyable as it can be.

I would also like to pass on our thanks to our partners and families for their support and care throughout the year. To those who work in our electorate offices who represent us as the face to the community on a day-to-day basis, I thank them for their loyalty and commitment to our constituents.

Christmas is a time for families, and we have reflected on that already. In this chamber this year there have been members who have lost very close family members—parents and partners—and who have suffered other sadnesses. Their Christmas will be different, the dynamics will be different and the level of enjoyment will differ but it will no less be a time for family get-togethers.

To those who are experiencing illness or sadness, loss and loneliness, please be assured that our thoughts and our prayers are with you during this time. We wish each and every one a brighter and happier New Year. On behalf of all members who sit in this corner we wish everybody a safe, happy and holy Christmas and may 2006 bring you every joy.

Mr TERRY SULLIVAN (Stafford—ALP) (5.00 pm): On behalf of the government backbenchers I want to thank the ministers and their staff for assisting us as we humble workers on the backbench go about our roles. On behalf of the whips I would like to thank all members of parliament from both sides and the staff around the parliament for helping carry out the tasks that need to be done to make the chamber run in a smooth way.

I acknowledge in particular the cooperation and self-sacrifice of the government MPs who carry the majority of the role in maintaining the roster and who have assisted with the ever-changing demands of the speaking lists. Their generosity has resulted in a reasonable conclusion to this year where the sitting hours have been manageable and the pressure has been reasonable.

I thank particularly deputy whips Phil Reeves and Rachel Nolan. They have been the main duty whips. It is a difficult task that they have and they have carried out their work efficiently with good spirits.

I thank the opposition whips. There has to be a cooperative approach to the workings within this chamber. I have found that to be the case and the smooth running of this House depends on that cooperation and it has been there.

In conclusion I thank all the parliamentary, ministerial and shadow ministerial staff who have helped everyone here carry out their role of members of parliament.

Mr SPEAKER: We have almost come to the end of the parliamentary sessions for 2005. I would like to thank those members who have supported me since my election to the position of Speaker in August of this year. I thank the Premier for his friendship, the Leader of the Opposition, the Leader of the Liberal Party and, of course, the member for Gladstone who most regard as the organiser of the Independents—certainly the adviser to the Independents.

I wish to record my thanks to the whips, for without their support and assistance, the job of Speaker and the temporary chairs would be a lot more difficult. My thanks also to the temporary chairs. They all do a great job and I appreciate the assistance that they provide to me and, of course, to the running of this parliament.

In particular, my best wishes to one of the newer temporary chairs, Bonny Barry MP, member for Aspley. I am sure that all honourable members will join with me in wishing Bonny a speedy recovery.

To the Leader of the House, Hon. Robert Schwarten, I thank him for his cooperation and, of course, his entertainment. I also thank him for his genuine friendship and for simply being there when needed and when times get tough.

I acknowledge the minister for communities and disability services, Warren Pitt, who has demonstrated to me, and certainly to all of us, how one can handle adversity.

I recognise the efforts of the parliamentary staff who ensure that when visitors come to this place their particular visit goes without any problems, and I would also like to thank those special people who arrange and conduct the tours of parliament. They no doubt leave a lasting impression in the minds of all those people who avail themselves of the opportunity to tour this magnificent complex.

One significant event held in October was the central Queensland sitting of parliament. All honourable members will agree that this was extremely successful.

I say a very special thank you to the garden and grounds team who go beyond the call of duty to make our gardens and grounds as attractive as any in the Brisbane area. Thank you to all the catering staff who I believe prepare and present the best food in Brisbane and as good as any in the state.

To Neil Laurie, the Clerk, who has truly been a tower of strength, providing advice and assistance, and the knowledge that he is always there to provide that professional advice, when required, is certainly a comfort to me. Honourable members, I understand that tonight is the 16th anniversary of Neil's buck's party.

I look forward to more improvements to the parliamentary precinct and electorate offices coming to fruition in 2006 by way of a new television system in this parliament and computer upgrades in the electorate offices.

As we will have two new mums next year, we are making some changes to the units which are available for young families. This will go a little way to making this place a little bit more family friendly.

With regards to trying to make this place more family friendly, honourable members may have noticed that for the first time in many years we have our own Christmas tree and decorations which have certainly brightened up this end of George Street and I hope will bring a bit more Christmas cheer into the parliament. I invite honourable members to bring their family and children in to view it.

The Parliamentary Service staff work tirelessly for all of us, regardless of whether parliament is sitting, and I would like to personally thank the Deputy Clerk, Siwan Davies; Ian Thompson; Kevin Jones; Michael Hickey; Peter Morris; Jaako Ponsi; Craig Atkinson; Mike Coburn; John McDonough; the committee office; Hansard; Library and Education Services; the Table Office; Bills and Papers Office; security officers; and parliamentary attendants. The support they all provide to me and to my office is greatly appreciated.

I would also like to make special mention of Barrie Tebble. He has worked here for 26 years as an attendant and is now in the Table Office. Today is Barrie's last day and on behalf of all honourable members I wish him well for the future and thank him for his commitment to this parliament.

On behalf of all members, I also express our appreciation to each of our electorate officers and assistant electorate officers. These officers play a vital role to each member and, of course, to the parliament.

I also want to thank my personal staff in the Speaker's Office: Lynda Plint, Gay Forsyth and Maurie Meadows. This team has certainly created an environment which is of great assistance to all members and I consider myself fortunate to have the services of these people.

Also to my staff in my Mount Isa and Cloncurry electorate offices: Betty Kiernan, Leanne Munns and Sue Swalling; thank you all.

And, of course, I want to thank my wife, Sandra. Sandra is and will always be a very important and special part of my life. Sandra has always been very supportive of my political career and many people believe she really is the member for Mount Isa. I always keep on the right side of Sandra for, as many members know, if we had a falling out and she decided to run in the seat of Mount Isa, I, without a doubt, would lose my deposit.

Honourable members, as this parliamentary year draws to a close, we should reflect on our performance in and out of the parliament as we represent the people of our electorates and the greater Queensland community but, more importantly, what we, as a collective body, have done to improve the quality of life for Queenslanders and the nation in general. In a number of cases, we have seen more emphasis on personal criticism rather than the real issue, namely, policy debate.

When I first entered this parliament 16 years ago today, whilst no quarter was given in this chamber, we still managed to have some respect and friendship with those of different political persuasions. Unfortunately, I regret to say that in some cases this no longer appears to be the case. So as we talk about the Christmas message and wish each other the season's greetings, let us give some consideration to putting that message into our everyday life when this parliament resumes in the New Year.

The lifestyle that we all lead is not easy; it is not easy on ourselves and it is certainly not easy on our families. Yet every time we become involved in the personal denigration of a member in this place it is an attack on the whole institution of parliament. It drives people who have a desire for public service away from politics and many members of the public 'switch off'. Sir James Killen recently celebrated his 80th birthday and guests from all political persuasions were invited and attended. There is a message somewhere there.

So as we leave the 2005 parliamentary year behind us, let us resolve that when we return next year, whilst we can still have vigorous and lively debate on the issues of the day and, frankly, that is what the public expect from us, remember too that we are community leaders and as such we set examples. Let us extend some personal respect for each other and maybe some good old-fashioned fellowship across the divide. This used to be the practice some years ago and hopefully it can return.

In closing, I would like to wish all honourable members, their families, their staff, Parliamentary Service staff and, of course, the parliamentary media gallery, a safe and merry Christmas. Let us also hope that there is some gentle rain right across the state to assist those people in drought areas.

I look forward to seeing you all here in February for the commencement of the 2006 parliamentary session. I especially look forward to seeing our two new mums in parliament, Karen Struthers and Dianne Reilly, with their new babies.

I now invite all members and staff, the parliamentary media gallery and other persons who are regularly and closely associated with the parliament to join me for a couple of hours at the end-of-session function. I was hoping that this function would be in the gardens on level 3, but the rain—which is certainly welcome—has made us change our plans. So ladies and gentlemen, we will now have the Christmas drinks in the Premiers' Hall and Speakers' Hall. I hope that the usual practice of the members looking after the staff and our guests will continue this year, as I am sure it will. Merry Christmas to you all.

Motion agreed to.

The House adjourned at 5.10 pm.