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**CHAMBER HANSARD**

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Mr SPEAKER (Mr Neil Andrew) took the chair at 12.30 p.m., and read prayers.

DELEGATION REPORTS

Parliamentary Delegation to East Timor

Mr HAWKER (Wannon) (12.31 p.m.)—I present the report of the parliamentary visit to East Timor on 12 and 13 February 2001. The delegation visited East Timor on 12 and 13 February this year, and it comprised members of the Joint Standing Committee on Foreign Affairs, Defence and Trade, the majority of whom had participated in a previous visit of the committee to East Timor in December 1999. Our visit was relevant for the committee’s current inquiries into Australia’s relations with the United Nations and the use of foreign aid to advance human rights in developing nations. I would like to thank all members of the delegation, especially Senator Ferguson, the delegation leader. I also wish to thank the delegation secretary, Ms Gillian Gould, and the military adviser to the committee, Lieutenant Colonel Mike Milford.

The visit enabled members and senators to see at first hand the progress that has been made in East Timor in a wide range of areas under the guidance and authority of the United Nations Transitional Administration in East Timor, UNTAET. The delegation was also able to gain some impressions of Australia’s participation in the venture. Australia provides the largest contingent in the UN Peacekeeping Force, the PKF, including the position of deputy force commander. Almost 8,000 peacekeeping troops from 25 countries make up the PKF, under a mandate from the Security Council. Australia is performing a significant role in the formation of the East Timor Defence Force and is also engaged in many other activities in support of East Timor’s move to independence.

On the first day of the visit, the delegation travelled to Suai, near the border with West Timor, and to Batugade on the western border. The delegation was particularly interested in assessing the aptitude of the ADF to participate in an international peacekeeping force and in our relationship with the UN from the perspective of those with practical experience in achieving the aims of UNTAET.

The delegation was briefed by the Acting Force Commander, Major General Mike Smith, on the political and security situation in East Timor, force structure, composition, mission and disposition matters and PKF operations; and by other ADF personnel about their experiences and activities as part of the peacekeeping force. The delegation was universally impressed by the enthusiasm, professionalism and commitment of the Australian troops whom it met. Morale was high; the troops were pleased to be working in a real operational environment for which they had rigorously trained. The delegation appreciates the detailed briefings and assistance provided by Major General Smith, Brigadier Ken Gillespie, Lieutenant Colonel John Caligeri and others.

On the second day the delegation inspected water supply and sanitation projects funded by AusAID. The non-government organisation, Bia Hula, works collaboratively with the local people in the design, planning and construction of the facilities. On our return to Dili, the delegation met with Mr Jean-Christian Cady, Deputy Special Representative of the Secretary-General, and discussed humanitarian concerns with Mr Andrew Harper, of the United Nations High Commissioner for Refugees, and Mr Patrick Burgess, head of the UNTAET Human Rights Unit.

The delegation also had the opportunity to observe a training session for civil servants on budgetary matters and to talk informally to representatives from a wide range of organisations. We were very impressed with the work that many Australians are doing in East Timor in this area. The delegation appreciates the briefings and assistance provided. I am pleased to report to the House that members of the delegation who had visited East Timor one year ago found a noticeably different East Timor this time, particularly in Dili. There are now vastly greater numbers of people appearing on the streets.
Markets are to be seen everywhere and many restaurants are appearing. However, unroofed homes and derelict buildings remain a poignant reminder of the terror and trauma experienced by the East Timorese people only very recently. These people are now committed to creating a new nation for themselves. The scale of this task is immense; however, the delegation saw that much has been done. I commend the report to the House.

DISTINGUISHED VISITORS
Mr SPEAKER—Before I recognise the member for Throsby, could I use the opportunity to indicate to the House that we have present in the Distinguished Visitors Gallery Sir Harold Young, former President of the Senate. I welcome you, sir, to the Distinguished Visitors Gallery.

Honourable members—Hear, hear!

DELEGATION REPORTS
Parliamentary Delegation to East Timor
Consideration resumed.

Mr HOLLIS (Throsby) (12.36 p.m.)—No-one can visit East Timor without feeling a sense of outrage at the grotesque and unnecessary violence and destruction inflicted on the East Timorese people by the militia with the help and support of elements of the Indonesian army some two years ago. Last October I sat in the Security Council at the United Nations in New York when the special representative of the Secretary-General, Sergio Vieira de Mello, clearly and unequivocally put the responsibility for the destruction in East Timor and the ongoing intimidation where it clearly belongs—at the hands of the Indonesians. He told the Security Council that Indonesia could and should stop the intimidation and the violence.

Having visited East Timor some 14 months ago, like other members this time we could see the tremendous progress that had been made. Yet so much remains to be done. The Indonesians, like the Portuguese before them, did not train or promote the Timorese people, so the whole rudiments of running a country, establishing a bureaucracy, running the health and education services and framing a budget are all having to be learned in a very short space of time. As the leader of the delegation mentioned, we did see a group of public servants learning the framing of a budget, and all of us came away impressed with not only the challenge that these people are facing but the skilful way the Australians who are assisting them with this are carrying out their work and the enthusiasm of those involved in this process.

One of the most poignant moments of this visit was our visit to the cathedral grounds at Suai where priests and nuns were brutally murdered. Perhaps the lives of priests and nuns are no more precious than any other, but it did illustrate to the world the senseless barbarity of much of the militia action. No-one will ever know the full extent of the murders, and no-one will appreciate the trauma, the brutality and the senseless violence, the rape and so much more, that went on at that time.

There is also the question of the return of the refugees from West Timor. Indonesia has to control the militia operating openly and with impunity within the camps. The returns have slowed to a trickle. Some claim up to 60,000 remain. But it is not clear how many really want to return to East Timor. Some whose sympathies are with the Indonesians want to stay there; others are fearful of reprisals if they return. But it is essential that an account be made, that these people be given accurate information and that the criminal thugs of the militia operating in the camps be brought under control.

Australia has made a tremendous commitment to East Timor—and, I might add, our work there has been praised at the UN—but there is also a guilt feeling associated with it. For too long we closed our eyes to what was happening in East Timor. But the commitment and dedication—and, I might say, professionalism—of our defence forces is very evident, as is the work of the aid agencies. I wonder if there is an element of duplication in some of the aid work, but Timor will need our support and our understanding for many years. We will not always agree with everything this new nation does,
but we must be sensitive to their decisions as a sovereign independent state.

I do hope that after the election in August of their new parliament we quickly establish a parliamentary friendship group with the new parliament to our north. Since our visit it has been announced that the elections will be held in East Timor in August of this year. There is still major work to be completed before this, especially for a country that has never voted for a government before. The provisional administration is aware of the need to create a public service and the other attributes of a sovereign state. The local police and the army will play a role in this, and the question of land titles must be resolved. There is also a question of bringing to justice those who have committed atrocities. The United Nations human rights unit is working on instituting a judicial system for bringing perpetrators of crime to justice and proposals for a truth commission.

After years of neglect Australia now is committed to East Timor for the long term. There will be a military presence there while ever the militia are active and Indonesia refuses to bring them under control. One is unsure what the uncertain future of Indonesia means for East Timor. The delegation’s visit was particularly worth while. I pay tribute to our military adviser, Lieutenant Colonel Mick Melford, for his assistance and to the many people in Timor, both military and civilian, who gave so freely of their time, answered our questions and made the visit, brief as it was, such a worthwhile experience. (Time expired)

Mr NUGENT (Aston) (12.41 p.m.)—I support the comments of the previous two speakers. As has been mentioned, the Joint Standing Committee on Foreign Affairs, Defence and Trade in fact went to East Timor in December of 1999, just two or three months after the initial insertion of Australian forces under the umbrella of the United Nations operation, and the visit this year was a follow-up some 14 months later so that we could draw comparisons between the two situations. The contrasts between the two visits were quite stark—for a start, in terms of security. The first time we got there the moment we stepped off the plane we were surrounded by our own military, heavily armed. We were bundled into a secure vehicle and everywhere we went we had a significant military presence, to make sure that we did not become targets or come to any harm. This time when we got off the plane we were able to stand around on the tarmac and do the meet and greet types of things that you always do on these occasions and travel around in ordinary vehicles with a minimal military escort. So, although the danger has not gone completely, clearly the security situation has improved quite dramatically.

On our first visit when we flew around Dili and the rest of East Timor, particularly down to Suai in the south-west, it was very noticeable that there was hardly a building that had a roof left on it. But this time virtually all of those buildings had been reroofed, for example. The last time there was no business activity at all. Now there is significant business activity, restaurants and shops and so on, although one would have to add the qualifier that much of it is to support the international presence rather than necessarily the East Timorese themselves. Life was also getting back to normal on this visit: for example, in the mornings you saw the kids going to school, which certainly was not happening the last time.

It is important to recognise the very significant role that the Australian military has played in East Timor. The Australians and the New Zealanders are primarily on the border, which is a difficult and dangerous area to be in. The professionalism of our troops there is quite outstanding. As you go around and get your briefings and meet the soldiers—often still living under canvas in very difficult, hot, humid and mosquito infested conditions—you find that we have a lot of very fine young Australians in our military, and we should never underestimate the quality contribution that those young men and women have made. I personally have some qualms about the performance of the United Nations. Undoubtedly things have improved over the year or so since we were there but, given the resources that have gone
into the place, the amount of money that has been allocated, I would have expected to see significantly greater improvement in the civil reconstruction tasks than has actually occurred.

I think it is important, though, that people understand that there are some very significant problems to be overcome. For example, there is no agreement on what will be the language of the new country. The older people want to speak Portuguese, the younger ones have been brought up to speak Indonesian, those who are interested in the future of business, diplomacy and commerce want it to be English, and a lot of people in the countryside speak the local language of Tetun. So you have got four different languages and there is no agreement on which it should be. There is no legal system, so they are, pro tem, using the Indonesian system they inherited. The currency is, de facto, the American dollar—there is no formal currency. The World Bank say they will become self-sufficient in terms of agriculture and if the oil revenues from the Timor Gap Treaty are renegotiated, but I did not really hear too many convincing arguments that that was going to happen.

There are political factions starting to appear on the scene within the East Timor community itself and Dili has had a population explosion. There are more than 40,000 people there now than ever lived there before. That partly reflects a drift from the country to the city and partly reflects the fact that there are so many outsiders there generating an artificial economy. So when the UN, some of the NGOs and other expats go one can see that there is going to be some collapse in the economy in Dili. Refugees, as my colleague commented on, are still an ongoing problem. We did have the chance to visit some of Australia’s aid projects, but I think we need to understand that there will be a long-term commitment on the part of our forces and certainly the need for aid funds for many years to come. I commend the Australian contribution, and I commend the report to the House.

Mr Speaker—The honourable member for Throsby had indicated to me that he was wanting to add something for a moment or two. In fact, the time for the debate has not expired. If he were to seek leave and leave were to be granted, I would be prepared to allow him to speak again.

Mr Hollis (Throsby) (12.46 p.m.)—by leave—The only point that I want to make, Mr Speaker, is that, given the uncertain future of Indonesia, one is unsure what this means for East Timor. It is in the interest of the three countries—Australia, Timor and Indonesia—to work in harmony. The sooner the Indonesians get over their sensitivities regarding Australia’s role in East Timor—a role that we had no option but to take—the sooner relations will return to a more constructive agenda. I also pay tribute once more to the professionalism of our troops there.

Mr Tim Fischer (Farrer) (12.47 p.m.)—by leave—I want to commend the members of the committee, noting that a number of committees have gone to East Timor, and focus particularly on the Australian armed forces there and on the transitional work now taking place to allow the elections to proceed on or about 30 August this year. That will be two years exactly since the original vote in the popular consultation, which I had the pleasure of attending as leader of the Australian delegation at that particular time.

I acknowledge the progress that has been made. I think it is genuine progress, especially with regard to security and the standard of living. I am underwhelmed by the culture associated with the bureaucracy and that element of it that lives on the ship tied up at Dili and the subset around it. It is always very difficult when you have those who are in receipt of US dollars—large amounts of US dollars. That is something that has got to be thought about a lot more over this next period of transition. But in this month of Anzac Day I again want to praise the Australian armed forces personnel and other Australians, particularly in CIVPOL, who have made such an enormous contribution in East
Timor in the period since the middle of 1999. It has been fantastic work and it should not be allowed to colour the ongoing relationship between two great countries: Australia and Indonesia. East Timor’s future lies in having a good friendship and relationship with both Australia and Indonesia.

Finally, the First Battalion Royal Australian Regiment, my old battalion, is up at Balibo and nearby Maliano at this time and about to rotate after several months of very good service. I salute the work that 1RAR have put in. They have been very professional, but so has everyone else with the Australian armed forces, including Colonel Ken Brownrigg, Defence Liaison Officer, who carried the burden, especially during the period of the polling, through to the arrival of General Cosgrove.

Mr SPEAKER—Order! The time allotted for the debate has expired.

COMMITTEES
Foreign Affairs, Defence and Trade Committee

Mr JULL (Fadden) (12.50 p.m.)—On behalf of the Parliamentary Joint Committee on Foreign Affairs, Defence and Trade, I present the committee’s report on the Second Australian Government Loan to Papua New Guinea.

Ordered that the report be printed.

Mr JULL—A second loan to Papua New Guinea was granted by the Australian government in December last year. The legislation, the International Monetary Agreements Act, requires the Joint Standing Committee on Foreign Affairs, Defence and Trade to examine the national interest statements issued by the Treasurer in relation to all loans made under that act. The committee must report on the matter within two months of the tabling in parliament of the national interest statement. As the House will recall, the first loan to PNG, equivalent to $US80 million, was the subject of a report presented by the committee in October last year. The national interest statement for the second loan, equivalent to $US30 million in three equal tranches, was in many respects a much more informative document than the first one and incorporated many of the committee’s suggestions for improvement.

Before I continue further with the matter of the second loan, I would like to draw attention to the serious situation that erupted in PNG just as the committee was considering its report on the loan matter. The latest crisis was an attack by renegade PNG defence force soldiers on the armoury at Murray Barracks, which resulted in the looting of a large number of automatic weapons. This attack was apparently prompted by the leaked Commonwealth Eminent Persons Group report on restructuring and downsizing the PNGDF. It forced Sir Mekere Morauta to announce that the restructuring proposals would not be implemented and that an amnesty had been granted to the rebels. This was a very dangerous development, which had serious implications for democratic processes in PNG. The most recent news reports from Port Moresby have been somewhat more reassuring. However, although the stolen weapons have now been returned, the rebel soldiers and students have demanded the recall of parliament; the removal of foreign influences, such as the ‘unnecessary’ Australian and New Zealand military advisers; and cancellation of the economic reforms required by the World Bank and the IMF.

The Treasurer’s recent announcement that the second tranche of the $US30 million loan has been released demonstrates the Australian government’s confidence in the reform program of Sir Mekere Morauta. It also illustrates the importance of maintaining the momentum of the ambitious economic, political and institutional reform program commenced by the Morauta government in 1999. To do otherwise would jeopardise the gains already made and would risk letting PNG slide into chaos by default. Despite a few setbacks, including a temporary rift with the World Bank, the reform program is largely on track and therefore should continue to be given support by the international community.
Although the report I have presented today did consider the proposed reform of the PNGDF as part of an overall review of the bilateral relationship, the main focus of our inquiry was the second Australian government loan to PNG in the context of the IMF and World Bank’s structural adjustment program. In essence, the weight of evidence presented to the committee led to the conclusion that granting the second loan was clearly in Australia’s national interest. However, some criticisms remain. In our report on the first loan, we recommended that the International Monetary Agreements Act be amended to enable the committee to be involved before future loans are executed. Our second report has again expressed concern at the timing of the referral of the national interest statement to the committee and has reaffirmed the recommendation to amend the act to enable the committee to be involved earlier in the process.

While acknowledging that prompt responses are essential in circumstances of acute regional difficulties, such as the Asian financial crisis several years ago, the committee remains of the view that a mechanism should be found which provides effective parliamentary scrutiny of the loans. We believe that such a mechanism need not delay the loan approval process unduly, nor compromise Australia’s ability to act swiftly in conjunction with the international financial institutions. When future loans under the act are being considered, the committee suggests that the relevant Commonwealth agencies provide a confidential briefing to the committee on the draft of the proposed national interest statement and the terms of the loan. This should be arranged well before the statement has been finalised and before the loan is executed.

In conclusion, I wish to express the committee’s gratitude to the organisations and individuals who contributed to the review: the High Commissioner for Papua New Guinea, Treasury, the Department of Foreign Affairs and Trade, AusAID, the Australia-Papua New Guinea Business Council and the Australian National University. I also thank my colleagues on the committee and the secretariat for their contributions to this short but important inquiry. I commend the report to the House.

Mr HOLLIS (Throsby) (12.55 p.m.)—As recent events have shown, the Australia-Papua New Guinea relationship has to be handled with sensitivity on both sides. While respecting PNG sovereignty, we also have a right to comment on events in PNG, especially as it is in both our interests to have a peaceful and stable PNG. The report tabled today is the result of the Joint Standing Committee on Foreign Affairs, Defence and Trade inquiry into the national interest statement—as is required under the International Monetary Agreements Act—on the second loan to PNG under the act. As the chairman has said, the statement for the second loan was in many respects a much more informative document than the first one and incorporated many of the committee’s suggestions for improvement.

This loan is in Australia’s interest as it contributes to a stable, prosperous and increasingly self-sufficient PNG. There was concern when the PNG government recently decided not to renew the visa of the World Bank’s resident coordinator in Port Moresby. Not unnaturally, this caused speculation in Australia and elsewhere about the integrity of the structural adjustment program for PNG instituted by the IMF-World Bank, as well as Australia’s involvement in the major PNG-Australia gas pipeline project for which Prime Minister Morauta has sought Australian financial assistance of up to $650 million.

I support the efforts of the Morauta government, which since coming to office in July 1999 has been dedicated to restoring Papua New Guinea’s economic management. Political reform remains an important but sensitive element of the PNG government reform program and it will be many years, perhaps decades, before the full effects of the political and economic reforms will be fully felt in that country. But there have been a number of significant developments since the committee’s previous inquiry. There have been the government’s budget and political
integrity legislation passed last year. But PNG, like many other countries, is subject to the vagaries of international trade and it is disappointing that the low level of commodity export prices has continued.

Until the law and order situation is fully under control, PNG will bear an unnecessary cost and image problem. While respecting PNG’s right to decide if they want tourism or not, and at what level, I note tourism could be an income generator. I respect the view that the PNG people do not want foreigners to come and gawk at them, and also that they do not want to go the way of many island nations in the Pacific and see their culture and lifestyle destroyed by pandering to the tourist dollar. Perhaps there is a balance, but forget tourism until the law and order issue is solved.

If only a portion of the money that has been spent on defence and the defence forces had been spent in building up an adequately trained and properly paid police force, perhaps the law and order issue would not be the problem it is today. Even though the dissident PNG defence force members have handed in weapons, the government is yet to respond to their concerns. Perhaps in the early days of independence too many people in Australia and PNG wanted the PNG defence force to resemble the Australian Army; a price for this is being paid today. The recent defence force uprising, encouraged by some well-known politicians, has been bad for the Prime Minister’s image and authority, and disastrous for PNG’s international standing. It has eroded the government’s standing in the community. Bougainville has been a drain on PNG finances for too long. Hopefully this costly conflict in financial terms and human life will soon reach a peaceful conclusion.

I agree that if the role of the committee is to be meaningful the International Monetary Agreement Act should be amended to enable the committee to be involved before future loans are executed. Effective parliamentary scrutiny of the loans need not delay the loan approval process. Too many bureaucrats convince ministers that security will delay the process—and this is not only in Treasury. At least, when future loans under the act are being considered, the committee suggests that the relevant Commonwealth agencies provide a confidential briefing to the committee on the draft of the proposed national interest statement and the terms of the loans. This should be arranged well before the statement has been finalised and before a loan is executed. I commend the report to the House.

Mr DEPUTY SPEAKER (Mr Nehl)—The time allotted for statements on this report has expired. Does the member for Fadden wish to move a motion in connection with the report to enable it to be debated on a future occasion?

Mr JULL (Fadden)—I move:
That the House take note of the report.
I seek leave to continue my remarks later.

Leave granted.

Mr DEPUTY SPEAKER—In accordance with standing order 102B, the debate is adjourned. The resumption of the debate will be made an order of the day for the next sitting and the member will have leave to continue speaking when the debate is resumed.
however, contains a number of important safeguards of civil liberties, and provisions for the protection of innocent parties.

The introduction of a civil confiscation scheme for the proceeds of crime has been on the Labor agenda for over two years. It was first considered in the discussion paper on illicit drugs released by the Leader of the Opposition in April 1999. The opposition first introduced this bill over twelve months ago, in March 2000. At that time, I introduced the legislation as an exposure draft, with the anticipation that the government would become involved in a discussion of the need for such legislation as an essential plank in the strategy to dismantle organised crime. The government, however, did not respond to the bill. It did not suggest amendments; it did not oppose the bill; it did not express support. It simply failed to acknowledge the importance of a significant piece of legislation in the struggle to incapacitate those who profit from trafficking in drugs or from other serious organised crime to the cost of the most vulnerable groups in our society, and it refused to bring on the bill for debate. With the passage of time, the bill was removed from the parliamentary Notice Paper.

I introduced the exposure bill in response to the Australian Law Reform Commission’s Report No. 87, Confiscation that counts: a review of the Proceeds of Crime Act. That report was tabled in March 1999, so it is now over two years since the Australian Law Reform Commission recommended the introduction of a civil confiscation scheme. The government has not responded in that period of time, and it declined to support Labor legislation introducing such a scheme when it had the opportunity to do so. The only time that this issue has exercised the mind of the government was on the day that Labor announced its illicit drugs policy. Having seen a story in the press that Labor would be announcing its 10-point plan to tackle Australia’s illicit drugs problem, the Minister for Justice and Customs at the time, Senator Ellison, scrambling around for something to say to distract attention from Labor’s policy—which he knew would contain innovative and effective strategies and which would embarrass the government when compared to its lack of action in relation to these matters—latched onto a civil confiscation scheme. That might have seemed to the minister to be a ‘cunning plan’—as the shadow Treasurer has described some of the actions of the Treasurer in bringing together legislation on tariffs in relation to beer prices and petrol—but the ‘cunning plan’ failed to acknowledge that the civil confiscation scheme had been opposition policy for two years and that we had already done more than just talk about it: we had acted and we had introduced legislation.

The minister in his attempt to torpedo the opposition’s statement—which was far broader than a response based simply on toughening up law enforcement and went also to the need to provide much more effective health strategies, rehabilitation strategies and strategies that go to the fundamental issues that concern our community about the use of drugs—simply said that he would take the idea of a civil confiscation scheme to cabinet and would ask for it to be endorsed. It should be seen for what it is: the government following the agenda set by Labor—but, importantly, declining to give any credence to the fact that that policy has had a long period of public exposure—and seeking to take credit for the work of others. Since the minister made his statement, we have heard nothing further—no suggestion that the matter has gone to cabinet, no indication of what cabinet might have decided if the matter was taken to it, no legislation emerging from it. So today I am reintroducing the Criminal Assets Recovery Bill, which Kim Beazley and I are calling on the government to support—to support the Australian Labor Party in its legislation, which is targeted at attacking those criminals who make their life profits from serious organised crime, and to give us an effective piece of law enforcement legislative machinery designed to confiscate the profits of crime and to deal effectively with drug trafficking. Labor has expressed support for this scheme for a long period of time while the government has sat idle. It has failed to turn its rhetoric on the day of the
launch of Labor’s drugs policy into action. And so today, for the second time, the opposition is doing the work that the government ought to have undertaken and is presenting parliament with a bill which follows the responsibility that we have accepted and for which we have done the work to implement.

The Prime Minister and his ministers are only talking the talk at the moment, saying that they have no truck with dealers and no apologies for what they describe as a tough stance. The problem is that the Howard government on this issue has been only full of words. When it comes to legislating to strip drug dealers of illegally gained assets, they have been all talk and no action. I say: don’t talk that talk if you won’t walk the walk. Here is the legislation to strip drug dealers of the profits of misery. The challenge for the government is to support that legislation.

In the words of the Australian Law Reform Commission, the present conviction based regime fails to meet either the objectives of the Proceeds of Crime Act or public policy expectations. The bill adopts one of the major recommendations of the Australian Law Reform Commission report by establishing a civil confiscation scheme for the proceeds of criminal activity. The principal objects of the bill are, firstly, to provide for the confiscation of a person’s property if the court finds it to be more probable than not that the person has engaged in serious crime related activities; secondly, to enable the proceeds of serious crime related activities to be recovered as a debt due to the Crown; and, thirdly, to enable law enforcement authorities effectively to identify and recover property.

Might I indicate also that Labor has made it plain that it intends the proceeds that emerge from this legislation not to go into general revenue, as is the case resulting from the current government abolishing the trust funds previously in operation to deal with the proceeds of crime, but rather to make certain that the proceeds of crime go back into the health budget for rehabilitation purposes and to law enforcement to make sure that our law enforcement capacity is enhanced. The bill defines serious crime as criminal conduct which, if a person was convicted in criminal proceedings, would result in the offender being liable to serve five or more years of imprisonment. This scheme is aimed at the serious players in the criminal world, at those people whose profession is crime and whose income is generated by criminal activity.

Under the current laws, those who are caught using drugs or selling small amounts are punished, but those who organise the trade and benefit from the proceeds of the illegal trade are often able to get away with it. Labor is intent on redressing this ineffective and inequitable approach. Our policy is to shift users into rehabilitation, and to focus law enforcement on permanently disabling the serious criminals. The men and women behind organised crime are too often able to distance themselves from the individual instances of criminal activity which generate vast sums of money. This is a source of frustration for law enforcement agencies: while they are able to identify profits of illegal activity, and the person or organisation which is benefiting from these profits, sophisticated financial transactions and money laundering schemes often mean that it is difficult to identify beyond reasonable doubt the particular crime from which each amount of money or property stemmed.

Recent years have seen increasing judicial and legislative recognition of the principle that the law should not allow the retention by any person, whether at the expense of an individual or society at large, of the profits of serious unlawful conduct. The civil confiscation regime that I am introducing today is built upon this principle. The principles in this bill are modelled largely on the regime applying in New South Wales. Under the bill, the Director of Public Prosecutions may apply to a court for a restraining order in respect of persons suspected of having engaged in a serious crime related activity. A restraining order is an order that you cannot deal with that property or dispose of it while the order applies. That means that that property can be held and then an application made to the court so that it can be forfeited.
If a restraining order is in force, the Director of Public Prosecutions may apply for an assets confiscation order. That order must be made if a court finds it more probable than not that the person was, at any time not more than six years before the making of the application, engaged in a serious crime related activity. The effect of such an order is that the property is forfeited to the Crown and vests in the official trustee on behalf of the Crown. It is then sold and the money paid into the proceeds account.

The Director of Public Prosecutions can also apply for a proceeds assessment order, requiring a person to pay to the Commonwealth an amount assessed as the value of proceeds derived from an illegal activity that took place in the last six years. Again, the test would be on the balance of probabilities. Anyone who can show that their assets have a legitimate source would, of course, be able to rebut the claim made by the Director of Public Prosecutions. But the bill will frustrate criminal attempts to hide the proceeds of crime through arrangements such as trusts, placing assets under the control of a company or transferring the proceeds of a property to someone else. If a court finds that the other person still has effective control of the assets, it can be recovered. The bill also grants necessary information gathering powers to the authorities to give effect to the scheme.

These are serious powers but they are balanced by provisions which ensure that the interests of innocent parties are safeguarded. For example, an interest in property which includes money and property obtained through criminal activity would be immune from confiscation if it was acquired for sufficient consideration without knowledge and in circumstances that would not arouse reasonable suspicion that the interest was tainted, if it was acquired as the distribution of an estate of a deceased person or if it was acquired by a person as payment of reasonable legal expenses. There are also provisions to ensure that the dependants of a person whose property has been forfeited are given protection. If a court is satisfied that the order will operate to cause hardship to any dependant, the court may order that the dependant is entitled to be paid a specified amount out of the proceeds of sale, as long as the dependant did not play a part in the illegal activity.

The measures proposed in the Criminal Assets Recovery Bill 2000 are tough measures but they are balanced and they will improve the powers that our law enforcement agencies require to address serious crime while also retaining civil liberties safeguards. For those individuals in our community who use drugs and suffer problems, our first task is to ensure that we address their health, social and rehabilitation needs. That is, we must make certain that those who are the victims of crime are treated as victims and not treated in a way which is draconian.

But we have to make sure that those who are sponsors of and those who are organisers of serious crime are able to be dealt with by our law enforcement agencies and that our law enforcement agencies have the appropriate tools they need. Legislation to attack profits of serious criminals is once again before the parliament. I say to the government: put criminals' money to work in the interests of the community and put your efforts behind this legislation. Support it; make sure that it goes to a parliamentary committee for proper examination, but do not put it away in cold storage as you did before. Do not pretend that this problem will go away. Respond to the Labor Party on this initiative which we are bringing forward on behalf of all the community. (Time expired)

Bill read a first time.

Mr DEPUTY SPEAKER (Mr Nehl)—In accordance with sessional order 104A, the second reading will be made an order of the day for the next sitting.

AUSTRALIAN BILL OF RIGHTS BILL 2001

First Reading

Bill presented by Dr Theophanous.

Dr THEOPHANOUS  (Calwell)  (1.16
p.m.)—This Australian Bill of Rights Bill 2001 is for an act relating to the human rights and fundamental freedoms of all Aus-
tralians and all people in Australia, and for related purposes. This is the first time in 12 years that such a bill has been presented to this House, and it is long overdue for consideration and implementation by this parliament.

It is a reflection of the current state of our liberal democracy that Australia is one of very few western nations that has not successfully entrenched the protection of internationally recognised human rights, through either legislative or constitutional means.

Over the past 30 years there have been several attempts to implement such a bill of rights in Australia. Between 1973 and 1988, there were four different failed attempts at the creation of a bill of rights by the Australian Labor Party, all of which were opposed by the coalition parties. However, since that time, the issue has generally been abandoned. One reason for this is that, as most political commentators have observed, there has been a marked movement towards authoritarianism and away from human rights issues in the last few years.

In contrast to previous attempts, this bill has been drafted in an extremely simple and intelligible manner. The fundamental objects of this bill are to promote universal respect for human rights and to enhance the dignity of the human person and equality of opportunity of all as paramount objectives of this legislature. Thus, one goal of this bill is to give effect to certain provisions of international treaties which Australia has been forthright in supporting on the international stage, but has never incorporated into domestic legislation.

A large part of this bill is based on the bill introduced into this House by the then Labor Attorney-General, Lionel Bowen, in 1985, and embodies within it the fundamental principles of the International Covenant of Civil and Political Rights. In this new bill we also draw on the International Covenant on Economic, Social and Cultural Rights, and, for the first time, seek to introduce social and economic rights into the domestic human rights agenda. In drafting this bill, we have also learnt some lessons from the various bills of rights of the UK, New Zealand, Canada and South Africa. We have tried to incorporate the finest thinking in relation to the philosophy of democracy and practice of human rights.

The bill has been extensively researched for a number of months, including with major assistance from my staff, Josh Bihary and Lauren Joffe, the Parliamentary Library’s Dy Spooner and, from the Clerks Office, Claressa Surtees. Included with the bill are 17 pages of explanatory memorandum. The bill I am putting forward today has significant similarities to that drafted by the Australian Democrats, however, there are also important differences from their original draft, which we understand is to be radically amended.

The Australian Bill of Rights Bill 2001 begins with a guarantee of rights and freedoms which proclaims that every person is ‘entitled to rights and freedoms without distinction’, and is divided into key sections such as guarantee of rights and freedoms (division 1), fundamental freedoms (division 2), equality of rights (division 3), civil and democratic rights (division 4), economic and social rights (division 5), and legal rights (division 6).

There are 43 articles which embody such principles as: article 6, freedom to have or adopt a religion or belief; article 7, right of peaceful assembly; article 10, rights of indigenous peoples; article 11, rights of minority groups; article 14, freedom from torture and inhuman treatment; article 15, freedom from slavery, servitude and forced labour; article 18, rights of the child; article 24, right to live in a safe society; article 26, right to education; and so on.

These articles, if implemented, would, by their very nature, require an expansion in the powers of the Human Rights and Equal Opportunity Commission. This has been dealt with in part 3 of the bill.

Section 10 of this bill provides new and important provisions with respect to the power of enforcement in human rights. On the one hand the bill does not impose penalties on individual persons in either civil or
criminal proceedings. On the other hand, groups of persons, or incorporated bodies, while they will not be liable to criminal proceedings, can be liable for civil actions if they infringe human rights. In particular, an aggrieved person will be able to take action, after consultation with the Human Rights and Equal Opportunity Commission, to achieve an injunction to prevent the operation of a governmental decision that is contrary to the bill of rights.

This therefore extends into practice the theory that a bill of rights should act primarily as a shield, rather than a sword. On the other hand, it needs to be more than a toothless tiger. On balance, this bill will serve to protect individuals and minority groups from discrimination and inequity—while at the same time allowing for a free society.

Furthermore, as the bill is statutory, rather than constitutional, it ensures that the judiciary cannot overexercise its mandate, as the parliament will still have a fundamental element of control. In overall terms, the bill will act as a social charter for the Australian community to live by and respect.

One of the new and substantial improvements on previous bills is the introduction of social and economic rights into the agenda. Although these rights are part of United Nations treaties which Australia has signed, there has not been any previous attempt to incorporate them into legislation. When I was a parliamentary secretary in the Keating government, I produced many papers on the need for social and economic rights in this country. This is because they are an essential element of the very concept of social justice, and very important to social justice strategies for any humane government.

In this bill, I have included the right to the protection of property, to a decent standard of living, to live in a safe society, to adequate child care, to work, to education, and in general to individual and collective development. These are based on the UN charter, and are also supported by the general arguments in my 1994 book Understanding social justice: an Australian perspective. There are two that need to be further explained.

The adequate standard of living includes sufficient food and water, clothing and housing, access to health services, and access to social security. It requires the Commonwealth and state governments to take reasonable legislative measures to provide for the progressive realisation of each of these rights. The right to individual and collective development includes support for people to take part in cultural life, and to enjoy the benefits of scientific progress and its applications.

One reason why all comparable Western nations have a bill of rights is because they have accepted that it is an essential element of a mature and functioning democracy. In other words, the very idea of democracy involves the recognition of certain inalienable rights for all persons. The concept of rights has been embodied in all the philosophical discussions of the meaning of modern democracy. John Stuart Mill identified the essence of modern democracy as being intertwined with fundamental human rights. As he said in his book On Liberty:

Society can and does execute its own mandates: and if it issues wrong mandates instead of right, or any mandates at all in things with which it ought not to meddle, it practises a social tyranny more formidable than many kinds of political oppression, since, though not usually upheld by such extreme penalties, it leaves fewer means of escape, penetrating much more deeply into the details of life, and enslaving the soul itself.

In this eloquent passage, Mill identified the absolute and crucial need for rights and the guarantee of rights in the constitution and laws of any country that is a genuine democracy. It is imperative that this government work to achieve the ideals established in the philosophy and to protect the minority groups from which this nation was forged. This can only be achieved through the implementation of a bill of rights.

Another crucial reason for a bill of rights is the need for Australians to show that they have a genuine commitment to the United Nations Universal Declaration of Human Rights. In modern-day global politics, when discrimination and human rights breaches occur, the United Nations has been forthright in its public comment and criticism. In this
regard, Australia has committed itself to the United Nations, and this commitment carries certain responsibilities. Australia has supported and ratified a number of UN treaties, for example, the Universal Declaration of Human Rights, the UN Covenant on Civil and Political Rights, the International Covenant on Economic, Social and Cultural Rights, the treaty on racial discrimination and the treaty on the rights of the child. Unfortunately, this formal commitment has not been accompanied by concrete action by this government. It is a tragedy that the government recently ceased cooperation with the bodies that were forged from the UN human rights treaties.

Furthermore, the government now seeks to abolish even the limited reference to the external power, which has been used to give international treaties some weight in the courts, and therefore provide some human rights to Australians. The Administrative Decisions (Effect of International Instruments) Bill 1999—sometimes known as the Teoh bill—is intended to abolish the ability of the courts to act on the legitimate expectation that the treaties apply to Australian law. In his second reading speech argument for this bill, the Attorney-General refers to the claim that:

In passing this legislation, the parliament will also be reasserting its proper role in changing Australian law to implement treaties.

However, if the government is concerned that Australian parliaments should be the ones to legislate on human rights questions, it should support this bill, or introduce its own bill of rights. If the issue is one of Australian sovereignty on human rights issues, then let the government show goodwill by supporting a bill of rights in this centenary year.

One of the main arguments used by opponents of an Australian bill of rights is that the Constitution and the common law protect people’s rights sufficiently. However, this is not true. Upon investigation, it is clear that there are very few rights listed in the Constitution. Thus, the Australian Constitution does not include anything amounting to a freedom from discrimination on the basis of sex or race, and, while the Constitution has been interpreted to protect freedom of political communication, it lacks a more general right of free speech. The Constitution does not contain an express guarantee of the right to vote, nor does it even mention the word ‘democracy’.

Some critics of a bill of rights actually believe that it undermines democracy. In a recent submission to the Standing Committee on Law and Justice inquiry into a NSW bill of rights, the NSW Premier Bob Carr claimed that a bill of rights would undermine the role of the parliament. However, Mr Carr’s argument does not in any way allow for such a thing as the tyranny of the majority. The judgment of a parliament can often be oppressive against certain minority groups and individuals, and therefore take rights away from the groups it is elected to protect.

One of the other main arguments against a bill of rights is that it is unnecessary. This is so far from the truth in Australia that one would have to be blind not to see the desperate need we have for such a bill. Former conservative Prime Minister Malcolm Fraser has highlighted this fact. Mr Fraser said recently:

Through much of my political life I accepted the view of noted lawyers, that our system of law, derived from Britain and the development of common law best protected the human rights of individuals. I now believe that our own system has so patently failed to protect the ‘rights’ of Aboriginals that we should look once again at the establishment of a bill of rights in Australia.

He now understands that the formal protection of every citizen’s rights is of paramount importance, especially considering the slow pace of the process of reconciliation, the stolen generation, and the unacceptable treatment of asylum seekers.

Although formally in Australia we are all committed to a society based on equal rights and treatment, in practice we have many cases of discrimination against people on the basis of race, ethnic background and religious preference. Article 11 of this bill is thus of crucial importance. It is headed ‘Rights of Minority Groups’ and it states:
Persons who belong to an ethnic, religious or linguistic minority have the right, in community with other members of their own group, to enjoy their own culture, to profess and practise their own religion, or to use their own language.”

This clause is of crucial importance if the development of Australia as a multicultural society is to proceed, for there is no question that one of the greatest inhibitors of this development has been, and continues to be, direct and indirect discrimination against people because of their racial and cultural backgrounds.

I do not have time to refer to many of the other clauses in this bill, but I believe it is the responsibility of all those within society concerned with human rights to ensure that a parliamentary debate on a bill of rights occurs from a position of conscience rather than party lines and thereby to treat seriously this need for an Australian bill of rights. Let us receive the ideas of all parliamentarians on this matter. Let us also see what the views are of the government and the opposition on this very important bill or a similar bill in this year of Federation. I urge the parliament to support this bill and not miss this historic opportunity. I present the explanatory memorandum to this very important bill. (Time expired)

Bill read a first time.

Mr DEPUTY SPEAKER (Mr Nehl)—In accordance with sessional order 104A, the second reading will be made an order of the day for the next sitting.

EXCISE TARIFF AMENDMENT (PETROL TAX CUT) BILL (No. 2) 2001
First Reading

Bill presented by Mr Charles.

Bill read a first time.

Mr DEPUTY SPEAKER—In accordance with sessional order 104A, the second reading will be made an order of the day for the next sitting.

STATES’ CONTRIBUTION TO LOWER PETROL PRICES BILL 2001
First Reading

Bill presented by Mr Charles.

Mr CHARLES (La Trobe) (1.33 p.m.)—In 1997 the High Court found that a number of state franchise laws, including laws which effectively imposed excises on petroleum products, were in fact duties of excise and outside state powers under the Australian Constitution. In order to rescue the states and territories, the Commonwealth government instituted three acts associated with franchise fees windfall tax in order to allow the Commonwealth to collect these taxes on behalf of the states and return the revenue to them.

In 1999, as part of the A New Tax System—ANTS—the Commonwealth brought in A New Tax System (Commonwealth-State Financial Arrangements) Act 1999 to return GST revenue to the states and territories and including in division 2, other grants, section 14, Franchise fees windfall tax reimbursement payments. That section states in part: Each State is to be paid by way of financial assistance, for a GST year, a franchise fees windfall tax reimbursement payment ...

My three bills have the purpose of proposing a package of cuts to fuel taxes and to impose an adjustment to the Commonwealth-state shares of revenue. The Excise Tariff Amendment (Petrol Tax Cut) Bill (No. 2) 2001 and the Customs Tariff Amendment (Petrol Tax Cut) Bill (No. 2) 2001 will have the effect of reducing the rates of excise for certain petroleum products and reducing the rates of customs duty for the same petroleum products. I propose that both be reduced by 1.5c a litre to give further relief to long-suffering motorists. These bills are similar to
bills recently passed by the House of Representatives, and currently before the Senate, giving effect to the Prime Minister’s promise to reduce petrol prices by a further 1.5c per litre.

The States’ Contribution to Lower Petrol Prices Bill 2001 proposes amendments to the ANTS Act to adjust the Commonwealth-state revenue shares. The purpose of the adjustment is to enable the Commonwealth to retain an amount of revenue equal to the total excise forgone because of the fuel tax cuts. It is proposed that the adjustment to revenue shares will take effect from any day on which the ministerial council agrees to a Commonwealth proposal. An adjustment is conditional on any determination under the act. It is my estimate that, in relation to similar reductions in excise and customs for the same petroleum products, the impact of my proposed reductions on the 2000-01 budget will be $140 million. However, as the States’ Contribution to Lower Petrol Prices Bill 2001 proposes that the Commonwealth retain an amount of revenue equal to the total duty forgone, because of any reduction in the rates of excise and customs duty for certain petroleum products, that impact for the Commonwealth will be nil.

On Friday, 2 March the Prime Minister announced a reduction of 1.5c a litre in fuel excise. The Canberra Times reports that he tried to spread some of the electoral pain of petrol prices to the motorists. An excellent idea, if you ask me, but the states, as reported in the Canberra Times, fired back at the Prime Minister describing the idea as ‘a gimmick and not practical’. Mr Howard said the states should also hand back some of their fuel taxes to the motorists. An excellent idea, if you ask me, but the states, as reported in the Canberra Times, fired back at the Prime Minister describing the idea as ‘a gimmick and not practical’. Mr Howard said the states should also hand back some of their fuel taxes to the motorists. An excellent idea, if you ask me, but the states, as reported in the Canberra Times, fired back at the Prime Minister describing the idea as ‘a gimmick and not practical’. Mr Howard said the states should also hand back some of their fuel taxes to the motorists. An excellent idea, if you ask me, but the states, as reported in the Canberra Times, fired back at the Prime Minister describing the idea as ‘a gimmick and not practical’. Mr Howard said the states should also hand back some of their fuel taxes to the motorists. An excellent idea, if you ask me, but the states, as reported in the Canberra Times, fired back at the Prime Minister describing the idea as ‘a gimmick and not practical’. Mr Howard said the states should also hand back some of their fuel taxes to the motorists. An excellent idea, if you ask me, but the states, as reported in the Canberra Times, fired back at the Prime Minister describing the idea as ‘a gimmick and not practical’. Mr Howard said the states should also hand back some of their fuel taxes to the motorists. An excellent idea, if you ask me, but the states, as reported in the Canberra Times, fired back at the Prime Minister describing the idea as ‘a gimmick and not practical’. Mr Howard said the states should also hand back some of their fuel taxes to the motorists. An excellent idea, if you ask me, but the states, as reported in the Canberra Times, fired back at the Prime Minister describing the idea as ‘a gimmick and not practical’. Mr Howard said the states should also hand back some of their fuel taxes to the motorists. An excellent idea, if you ask me, but the states, as reported in the Canberra Times, fired back at the Prime Minister describing the idea as ‘a gimmick and not practical’. Mr Howard said the states should also hand back some of their fuel taxes to the motorists. An excellent idea, if you ask me, but the states, as reported in the Canberra Times, fired back at the Prime Minister describing the idea as ‘a gimmick and not practical’. Mr Howard said the states should also hand back some of their fuel taxes to the motorists. An excellent idea, if you ask me, but the states, as reported in the Canberra Times, fired back at the Prime Minister describing the idea as ‘a gimmick and not practical’. Mr Howard said the states should also hand back some of their fuel taxes to the motorists. An excellent idea, if you ask me, but the states, as reported in the Canberra Times, fired back at the Prime Minister describing the idea as ‘a gimmick and not practical’. Mr Howard said the states should also hand back some of their fuel taxes to the motorists. An excellent idea, if you ask me, but the states, as reported in the Canberra Times, fired back at the Prime Minister describing the idea as ‘a gimmick and not practical’. Mr Howard said the states should also hand back some of their fuel taxes to the motorists. An excellent idea, if you ask me, but the states, as reported in the Canberra Times, fired back at the Prime Minister describing the idea as ‘a gimmick and not practical’. Mr Howard said the states should also hand back some of their fuel taxes to the motorists. An excellent idea, if you ask me, but the states, as reported in the Canberra Times, fired back at the Prime Minister describing the idea as ‘a gimmick and not practical’. Mr Howard said the states should also hand back some of their fuel taxes to the motorists. An excellent idea, if you ask me, but the states, as reported in the Canberra Times, fired back at the Prime Minister describing the idea as ‘a gimmick and not practical’.

While Western Australian Premier Geoff Gallop said the Prime Minister’s idea was not practical, Queensland Premier Peter Beattie said that it was up to other states to match the $360 million a year subsidy his government pays to service stations to keep fuel prices down. He is reported to have said: We are the low tax state of Australia. I’m not surprised the Prime Minister is highlighting another advantage of living in the sunshine state.

On Tuesday, 6 March, I proposed to the coalition party room that I introduce a private member’s bill—and everyone should understand that this is not a government bill but a private member’s bill—to encourage the states to match the Commonwealth’s 1.5c a litre reduction in petrol costs at the pump. I am introducing the measures because of the public comments by the premiers blaming the federal government for high petrol prices. Following the announcement of my intention, Mr Bracks is reported to have said that he could not pass on petrol discounts because the state received its petrol compensation ‘in a bundle’ under the GST arrangements. I understand the Treasurer responded by saying that he would be happy to send Mr Bracks a separate cheque for the amount of windfall tax that Victoria receives from the federal government’s collection of petrol excise on its behalf.
I note for the record that the revenue replacement for state franchise fees windfall tax is 8.35c per litre, that New South Wales retains 7.2c a litre, Victoria retains 6.6c a litre and Western Australia retains 6.2c a litre; therefore, all of those states clearly have the capacity to match the Commonwealth largesse and reduce the price of petrol to motorists by another 1.5c per litre. These bills give the states the opportunity to match the Commonwealth’s contribution and I call on them to take up the challenge and to do so. Clearly they have the revenue to come to the party.

It is important in this debate to place before this House the record of the Labor Premier of Victoria on tax on fuel. I remind you that Premier Steve Bracks is a former adviser to the failed Cain and Kirner governments in Victoria—the government that lost us the State Bank of Victoria. The Labor Treasurer, Rob Jolly, assured Victorians in no uncertain terms that it was safe for them to keep their money in the Pyramid Building Society. As we all know, Pyramid went belly up, causing thousands of Victorians to lose their savings. Then that same Treasurer, Rob Jolly, because of his foolishness, whacked a 3c a litre Pyramid tax on fuel to recover some of those funds for the depositors of Pyramid from the long-suffering motorists of Victoria.

This is my third private member’s bill in the 11 years that I have been in this parliament. The first was to guarantee voluntary membership of association and, while the Hawke government refused to have a vote on that bill, the principles of my private member’s bill were incorporated in the Workplace Relations Act of 1996. My second private member’s bill was in relation to section 299(1)(d)(ii) of the now redundant Industrial Relations Act which, in effect, said that a person could not say anything naughty about an industrial relations commissioner or the commission itself or they would have to pay a fine, go to jail, or both. The Hawke government also refused to vote on that bill but, as a result of the High Court finding that that section of the act was unconstitutional for reasons of implied freedom of speech, eventually the government introduced a similar bill and I got my way.

I wish to thank the Deputy Clerk, Claressa Surtees, for her excellent support and technical help in drafting these bills. I call on the states to respond. I commend the bills to the House.

Bill read a first time.

STATEMENTS BY MEMBERS

Easter Message

Mr MURPHY (Lowe) (1.42 p.m.)—Over the weekend, I discovered among my records an editorial titled ‘Easter and the endless conflict’. The editorial was published in the Good Friday edition of the Sydney Morning Herald a few years back and I kept it because I thought it was a great piece of writing on the message of Easter. I would like to share part of the editorial with you as I believe it holds an important message for all of us in this House. It states:

Every society needs people who live above and beyond self-interest, who remain faithful to the truth whatever the cost. The Easter story shows these standards can be achieved. There is a down-drag which pulls at every life. It is easy to slacken within, to compromise, to rationalise. The inner victory of Jesus strengthens the moral fortitude of all who come near to Him.

………

The whole Easter story shows the power which comes when in any cause the means chosen are in accord with the ends being served.

………

The Resurrection has permanently changed the world. The light which streams from the empty tomb falls across every life and every society. It reveals the basic instability of evil. In the endless conflict in our personal lives we can take heart. The future belongs to the Kingdom of God. The God who raised Jesus from the dead will in the end bring justice and freedom and peace to Victoria.

Mr Deputy Speaker, I wish you, every member of this House and their families and staff
a very happy Easter Day on Sunday, 15 April.

**Education: Funding for Government Schools**

Mr LLOYD (Robertson) (1.44 p.m.)—Recently on 23 March, together with the state minister for education, John Aquilina, I had the honour of representing Dr David Kemp, the federal Minister for Education, Training and Youth Affairs, at the opening of new extensions to Tuggerah Public School. It was a wonderful day and something that Tuggerah Public School had looked forward to for a long time. I would like to thank the headmaster, Mr John Selwood, and the school captains, Jonathan Parsons and Rhianne Hoffman, for their wonderful welcome and for the assistance of everyone on the day. It emphasises the support that the federal government gives to state education, because the extensions cost $4,171,000, of which $3,835,000 was contributed directly by the federal government—that is, 91.4 per cent of the extensions were funded by the federal government and only eight per cent by the New South Wales government. It really makes a mockery of the attacks by the Labor opposition and the Teachers Federation on the federal government for not supporting state schools, particularly in New South Wales. Nothing could be further from the truth. The federal government continues to pour money into the state school education system. An increase of some 36 per cent or $561 million has been poured into the state education system by the federal government. (Time expired)

**Forde Electorate: Labor Candidate**

Mrs ELSON (Forde) (1.47 p.m.)—Honourable members will know that I have never used this forum to be critical of other members of parliament and that I value the close working relationship I have had with local members of parliament from both sides of politics. That is why it saddens me to bring to the attention of the House the underhanded tactics used last week by the Labor candidate for Forde, Val Smith, together with the new Labor state member for Albert, Margaret Keech. Last week, Ms Smith was featured in the local paper capitalising on a pensioner who claimed to be disgruntled with the CPI index of pensions. Ms Smith failed to tell the public that this lady is actually the state Labor member’s mother and an active campaigner for the Labor Party. Now, I have no problem with someone having a go at me about politics—that is part of the job—but they ought to be up front and honest. Either way, the local public deserves better. The people of Forde do not want to see po-
political party game playing and cheap media shots used to try to win a few votes. Further, Ms Smith ought to be ashamed of herself for totally misrepresenting the facts on the indexation of pensions. As someone who works at Centrelink, she should be fully aware that the extra CPI increase was awarded well in advance of the GST impact. There is no clawback. Nothing whatsoever has been taken off pensioners. In fact, pensioners have had the benefit of the increase, which would have been due now, for many months. I am very disappointed that in this case not only have Labor run a scare campaign to frighten the local pensioners but they have done it in a very dishonest and underhanded way. The local residents deserve much better than that.

Isaacs Electorate: Telstra STD Zoning

Ms CORCORAN (Isaacs) (1.48 p.m.)—In March last year, Telstra announced a review of its zoning arrangements. The results of this review were promised by the end of last year but to date we are still waiting. Amongst those waiting with great interest are the residents of Cranbourne. The reason for this interest is that Cranbourne residents and businesses are currently paying STD rates for their phone calls. Although Cranbourne pays STD rates, other areas further from Melbourne than Cranbourne do not. The residents and businesses of Cranbourne are contributing far more than their fair share to Telstra’s profits. They are paying far more than others for their day to day living and business communication needs. This has been a longstanding issue, and it is time that it was fixed. I understand that part of the reason Cranbourne is an STD zone is historical, but that is no reason for the situation to remain today. Cranbourne is clearly very much part of Melbourne. The people of Cranbourne are determined to leave no option unexplored in their efforts to get a more equitable zoning arrangement and have signed a petition to draw the government’s attention to this issue. I am very pleased to be able to help the process along today by tabling this petition. The petition has been signed by no fewer than 3,431 people and has been certified by the Deputy Clerk. The petition calls for Telstra to develop equitable policies and criteria to ensure that it does not discriminate amongst customers in similar geographic circumstances. It also calls on Telstra to establish fair and equitable call zones and charging systems for customers in similar geographic situations in the Melbourne metropolitan area. (Time expired)

Mackenzie, Mr Ian Seaforth

Mr St CLAIR (New England) (1.50 p.m.)—I rise to pay tribute to the late Mr Ian Seaforth Mackenzie from my hometown of Guyra. Mr Mackenzie was 85 years of age and was a pioneer in pastoral achievements in the New England region. Ian’s father died at a very early age, and Ian was brought home from school to run the property. He was one of the original pioneers of aerial superphosphate and seedling in the region. He also commenced the breeding of Hereford cattle which, over time, was able to be converted to a Poll Hereford stud by using polled bulls. He was one of the earliest producers to use performance figures, breeding 19.5-micron wool merinos and achieving the top average price with Schute Bell during the early 1970s. Glenshiel, Ian’s original property, was 4,000 acres when he took it over. Over the next few years, he accumulated a further 2,500 acres. His services to the community involved Rotary and the Guyra Show Society of which he was patron for 70 years. He was a member of the Guyra Bowling Club, a life member of the Guyra Golf Club, a member of the Historical Society, Branch President of the Guyra Graziers Association, and a member of the New South Wales Farmers. He was a council member of The Armidale School, a member of the RSL, a patron of Guyra rugby, a judge at the Armidale AJC, and a past president and member of the Armidale Picnic Races. He continued to have a love of rugby and horse racing throughout his life. Ian served with the 12th Light Horse during World War II. (Time expired)

Banking: Services

Mr RIPOLL (Oxley) (1.52 p.m.)—There are few subject matters in Australian politics or social debate that would raise as many
concerns as the operation and profits of the banking sector. So much has this been the case that the big banks have finally sat up and listened to the cries of ordinary people who are hurting under the weight of fees and charges—charges forced upon them by organisations that make large profits, consistently reduce services, close down branches, reduce access and basically do everything in their power to force change on those not capable or yet willing to fully adopt those changes.

In a huge turnaround recently, the banks now claim that they can provide no account keeping fees; six free non-deposit transactions per month, including up to three over the counter withdrawals; unlimited free deposits; no minimum monthly balance; and—what do you know?—three months of consultation before closing down more branches. Well, hooray to the banks for being oh so generous that they would provide these most basic of services to those most in need—services which should always have been maintained. If there is anything that is true when it comes to banks, it is that they will take your money—you now have no choice because of electronic systems and deposits—but if you want your money back you must pay for the privilege and dare not do it in person. If you have very little money, you are penalised for this fact. My message to the banks is clear and simple: if you do not adopt a social charter and change, change will be forced upon you.

Cook Electorate: Coastcare Projects

Mr BAIRD (Cook) (1.53 p.m.)—I rise today to congratulate groups taking part in four worthy environmental projects in my electorate that have received a combined total of over $35,000 in government funding under the Coastcare scheme. The first is the Lilli Pilli Bushcare Group, who I visited last Friday. They are carrying out bush regeneration and removing rubbish from the last remnants of Sutherland shire littoral rainforest in Lilli Pilli Reserve. The group’s work will reduce erosion, improve access to the foreshore and encourage people to visit and enjoy the reserve.

Secondly, the Cabin Communities Landcare Group are building a walking track on the Royal National Park coast between Bundeena and Werong, where there has been significant erosion in the past. Signage will also be installed to educate visitors about the local environment. Thirdly, the Bundeena Reserve Bushcare Group will rehabilitate the foreshore of Bundeena Reserve, which also contains remnants of Sutherland shire’s littoral rainforest. Large areas of asparagus fern, a significant pest in the area, will be removed. Finally, the Silver Beach DuneCare Group in Kurnell are looking to rehabilitate the vegetation of Bonna Point Reserve, which contains remnants of Kurnell dune forest, an endangered ecological community. The remnants will be fenced off and weeded to encourage natural regeneration. The planted areas of the reserve will be weeded, mulched and extended.

One of our great assets in Cook is our beautiful coastline. It includes some of the most beautiful beaches along the coast of New South Wales. The work being done by these volunteers is extremely important. Congratulations to all the volunteers on their hard work and for receiving much deserved government support. (Time expired)

Lalor Electorate

Ms GILLARD (Lalor) (1.54 p.m.)—In the adjournment debate on Thursday in this House, the member for La Trobe claimed to represent the largest metropolitan electorate in Victoria. It is not my intention to encourage a ‘mine is bigger than yours’ style debate in this House; I will leave that to those male members of this House who have already made it an art form. But I think we should note for the record that I represent, in the form of the electorate of Lalor, the largest metropolitan electorate in Victoria, being some 653 square kilometres. The member for La Trobe noted that electorates like his still struggle to attract doctors, dentists and other health professionals and that electorates like his have problems with higher education infrastructure. My electorate shares these concerns, though perhaps the member for La Trobe might like to return to this House and
explain why these things continue to be an issue as we enter the sixth year of the Howard government.

**Dunkley Electorate**

Mr Billson (Dunkley) (1.55 p.m.)—Friday was a great day in the electorate of Dunkley. We were fortunate to have a visit from the Prime Minister, and it was an extremely successful one. We started the day with an inspection of the Dunkley interchange. For those opposite who have gained an afterlife interest in the Scoresby transport corridor, that is where the transport corridor intersects with the Frankston freeway. I was able to show the Prime Minister first hand the importance of that project to the community I represent and to the broader Mornington Peninsula, and why we have been pressing for this project to get support from a number of levels of government for some time. Sadly, the Victorian Bracks government still is struggling to come to grips with this important infrastructure project, and, despite what Minister Batchelor has been saying for weeks, we still do not have a concrete proposal from the Victorian government to assist the advocacy being undertaken by me, Mr Peter Nugent and Mr Phil Barresi, who have been campaigning for this project for some time.

After that, we were fortunate to be involved with the Cube 37 Community Arts Centre opening, a federation community project that again was ridiculed by the Labor Party, particularly Senator Faulkner in the Senate. They were all there in numbers—all there in spades—to be a part of that successful project. At the end of the day, we concluded with a community volunteer afternoon tea, where the Prime Minister and about 400 guests heard from Jill Hunter, from the Frankston and District Netball Association; Mike Waixel, a volunteer coordinator from CFA District 8; and Bill Coventry. They spoke about what it means to be a volunteer. It was a very successful day. *(Time expired)*

**Banking: Branch Closures**

Mr Emerson (Rankin) (1.57 p.m.)—I too wish to talk about bank closures, particularly the decision of the National Australia Bank to close the branch at the Marsden Park shopping centre. That branch services customers both in the seat of Rankin and also in the seat of Forde. I would hope that the member for Forde would join with me in urging the National Australia Bank to retain that branch in the Marsden Park shopping centre. It serves hundreds of pensioners who cannot do what the National Australia Bank wants them to do, and that is get on a bus and travel to Browns Plains, which is a very considerable distance away. I ask the member for Forde to urge the Minister for Financial Services and Regulation to use whatever influence he can in getting the National Australia Bank to recognise its social obligations. It has put out a charter—that is maybe an encouraging start—but we want to see action, not just words. I want the National Australia Bank to take its social obligations seriously and reconsider the decision to close that branch. It is very important as a focus for customers for over-the-counter service, and that service will not be provided by expecting people to get on a bus and go all the way to Browns Plains or other locations. In the seat of Forde, a Westpac branch has closed in Waterford. I expect the member for Forde to be more vigilant in urging the banks to recognise that they have social obligations and to keep these branches open. *(Time expired)*

**Leisel Jones**

Tarnee White

Ms Gambaro (Petrie) (1.58 p.m.)—I would like to congratulate Olympic star Leisel Jones, who competed in the swimming titles in Hobart recently and is rising to bigger and better things all the time. She engaged in the 100 metres breast stroke. She was a little disappointed: her personal best was one minute and 7.49 seconds, and she reached one minute and 7.96 seconds. But she really has the true makings of a great sports star. At the event, there was also another Redcliffe girl, Tarnee White. I know that they will continue to rise to bigger and better things. Redcliffe has a lot to be proud of. The girls did a wonderful job in the
Olympics. They will be competing in the world championships in Japan in July. I and many of the people in the Redcliffe Peninsula would like to wish them both very well in their quests ahead, particularly against gold medallists in that event.

Mr SPEAKER—Order! It being 2 p.m., the time for statements by members has expired.

QUESTIONS WITHOUT NOTICE

Economy: Growth

Mr BEAZLEY (2.00 p.m.)—My question is to the Prime Minister. Have you seen the results of the Australian Financial Review’s latest survey showing that the overwhelming majority of economists believe the implementation of the new tax system is the most important factor behind the economy’s slowdown, well ahead of factors you like to point to such as interest rates, international factors and oil prices? Prime Minister, why won’t you admit what the rest of the country already knows: that your GST has had a big negative impact on economic growth?

Mr HOWARD—I do not think the rest of the country is saying that. Certainly, the consumers of Australia are not saying it. Undoubtedly, and much to the chagrin and the disappointment of the opposition, today’s retail trade figures would have been an enormous disappointment to the opposition, because they were very strong and buoyant and will not afford the Leader of the Opposition another opportunity to talk down the Australian economy. That is what the Leader of the Opposition does.

The Leader of the Opposition invites me to respond to the judgment of the community. The consumers of Australia express views through the dollars they spend in the shops of Australia. If you look at the dollars that have been spent in the shops of Australia, Mr Speaker, you will find that the retail trade increased by 1.2 per cent in February, to be 8.1 per cent higher than this time last year. The increase in February is the third consecutive increase in retail spending, following a one per cent increase in December and a 1.1 per cent increase in January, both of which have been revised upwards by the Australian Bureau of Statistics. I understand that today’s outcome exceeded market expectations. The Leader of the Opposition invites me to listen to the people of Australia on this issue. The people of Australia are still spending, and the reason why the people of Australia are spending is that we went ahead with the personal tax cuts that you did not want us to go ahead with. In fact, about a year ago the Leader of the Opposition was accusing us of overheating the economy. A year ago he was running around saying, ‘It is terrible, they are overheating the economy.’ Now he is running around talking the economy down. The reality is that the Leader of the Opposition can do no better at question time than react to the headlines in this morning’s newspapers.

Families: Tax Compensation

Mr CHARLES (2.03 p.m.)—My question without notice is to the Prime Minister. Prime Minister, has your attention been drawn to claims that the compensation under the new tax system for large families is inadequate?

Mr HOWARD—My attention has been drawn to such allegations. It may be that there is some remarkable coincidence, but there was an article in the Melbourne Sunday Herald Sun yesterday referring to a family, the Zank family, and there was also a statement released by the member for Lilley yesterday that referred to the Zank family. It may be that the member for Lilley had spoken to the journalist at the newspaper before the article was written, but it is a free country and he is perfectly entitled to do that. It would have been helpful if the journalist writing the article had bothered to make some inquiries about the veracity of what he was told by the honourable member for Lilley. Naturally, I do not know all of the particular circumstances of the Zank family—and I do not presume to make judgments on their particular circumstances—but I have sought generic advice in relation to families that are in a similar situation, and that generic advice is quite interesting.

I have been informed that both the Sunday Herald Sun and the member for Lilley are...
wrong about the compensation provided to a family in similar circumstances—that is, one main breadwinner earning $30,000 a year with seven dependent children aged under 11. That was the material supplied in the newspaper article. I have been told by the Department of Family and Community Services that a family in these circumstances receives a tax cut of $17.34 a week, not $13.50, as reported by the Sunday Herald Sun; additional family payments of $55.12 a week, not $14 a week, as reported by the Sunday Herald Sun, or $2.50 a child per week, as claimed by the member for Lilley; and total compensation of $72.46 a week, or $3,768 a year. According to my advice, this represents an increase of eight per cent in disposable income. I have also been advised that a family in these circumstances receives in aggregate—not as an increase, of course—family assistance of $445.90 a week, or $23,187 a year. If that advice of mine is correct—and it is based on advice obtained from the department—then once again the member for Lilley has been caught red-handed conducting a fear campaign. He tried to scare the pensioners of Australia and now he is into scaring low income families in Australia. He should be ashamed of himself.

Business: Australian Chamber of Commerce and Industry Survey

Mr CREAN (2.06 p.m.)—My question is to the Treasurer. Has he seen the latest business survey released today by the Australian Chamber of Commerce and Industry that shows the fifth consecutive decline in confidence, now down 35 per cent since January last year; a spreading of the pessimism over business conditions across the business community; the lowest reading of investor confidence in nearly eight years; and continued poor expectations of growth, investment, profitability and employment?

Honourable members interjecting—

Mr SPEAKER—The Deputy Leader of the Opposition will come to his question.

Mr CREAN—Has he also seen statements by ACCI’s head, Mark Paterson, blaming the GST and saying of the survey:

... the results have now moved relentlessly downwards so that many of the outcomes are now the lowest that this survey has recorded in its ten year history.

Treasurer, given that your own cheer squad has recognised the problems your GST is causing—

Mr Charles—Mr Speaker, I raise a point of order. I draw your attention to the fact that this is question time, not ‘statement time’.

Mr SPEAKER—The member for La Trobe will resume his seat. I had asked the Deputy Leader of the Opposition to come to his question. He had in fact then turned to a question. The question is now longer than would normally be the case. I ask him to wind the question up.

Mr CREAN—I will, Mr Speaker. Treasurer, given that your own cheer squad has recognised the problems that your GST is causing, when will you start listening rather than looking for someone else to blame?

Mr COSTELLO—Mr Speaker, because of the noise I did not hear the full question, but I do not ask that it be read again because I have a pretty fair idea it would have been the Deputy Leader of the Opposition trying to run down the Australian economy. I notice that he tried it on Friday, he tried it on Saturday, he tried it Sunday and he tried it on Monday. As the Prime Minister said, I said on the way down to question time it is a fair bet we will not get any questions about retail trade today, because if consumers are buying the Labor Party is unhappy.

I have seen the ACCI survey, which said that 90 per cent of respondents expect growth in earnings to rise or stay the same; 75 per cent of respondents regard their own conditions to be satisfactory or better; 70 per cent of business expect the level of sales to be satisfactory or better; two-thirds of respondents expect investment to be the same or higher, with nearly 30 per cent expecting higher levels; and 70 per cent of businesses expect full-time employment to do the same.

Mr Crean interjecting—

Mr SPEAKER—The Deputy Leader of the Opposition was granted a good deal of
grace and will extend the same sort of courtesy to the Treasurer, or I will deal with him.

Mr Horne—Mr Speaker, I raise a point of order. When the Treasurer stood up to answer this question, he said that he did not hear it because of the noise. You could hardly say it was orderly.

Mr SPEAKER—The member for Paterson runs the real risk of reflecting on the chair.

Mr COSTELLO—So, in relation to the ACCI survey today, there were a number of indications that, in respect of their own businesses, businesses were expecting growth in either earnings or investment. It is true to say that, coming off record highs in January 2000, confidence is lower than it was at the time of the record high, but if you look at the measures of confidence, as I do carefully, the good thing to say about the ACCI survey is that the measures are certainly stronger than they were under the Labor Party government when the Labor Party was pushing Australia into the massive recession that it did in 1990 and 1991.

In relation to the new tax system, because I am asked about the new tax system, can I just make this point: if the Labor Party were really against the new tax system and really opposed to GST, it would be pledging to abolish it. But the fact that the Labor Party on the one hand says that it is opposed the GST but on the other hand intends to keep it when it gets into government shows the complete hypocrisy of Labor Party spokesmen.

The Prime Minister said on the weekend that this is the weakest Leader of the Opposition since Gough Whitlam. I would say—‘and, unlike Gough Whitlam, who turned out to be Australia’s worst Prime Minister, actually has a weaker policy position than Gough Whitlam’. The member for Hotham could be the weakest spokesman on Treasury matters for the Labor Party since his father. After five years he has not announced a single policy. On the one hand, he would have you believe that he is totally opposed to the GST; on the other hand, his desperate desire is to get into government and to take advantage of it.

The Labor Party has been pretty lucky that it has had a sympathetic press for the last five years, but now that the focus is coming onto it and people are beginning to ask questions it is time for some answers to be given. And the biggest answer that the people of Australia want to know today is: if you are so opposed to GST, if you think it is no good for the economy, why are you not promising to repeal it? Why will you not commit yourself to a massive roll-back? Why will you not name the goods and services? Why will you not name how you will fund it? And, most of all, why will you not tell the people of Australia how much you intend to put up income taxes to pay for it?

Mr Crean—I seek leave to table the ACCI survey that demonstrates the blame of the GST on the economy.

Leave not granted.

Economy: Retail Trade Figures

Mrs DRAPER (2.14 p.m.)—My question is addressed to the Treasurer. Would the Treasurer advise the House of the February retail trade figures released on this very important day by the Australian Bureau of Statistics?

Mr COSTELLO—I thank the honourable member for Makin for her question. I can inform her that the Australian Bureau of Statistics today released the retail trade figures for February showing a retail trade increase of 1.2 per cent for that month, coming on top of a 1.1 per cent increase in January. So retail trade is now 8.1 per cent higher than it was a year ago. The February outcome was significantly higher than market expectations and the increase in retail trade was broadly based: retailing and general retailing up 3.2 per cent, department stores up 1.9 per cent, recreational goods retailing up 1.5 per cent and food retailing up 1.4 per cent. By region, all states and territories recorded increases in February. That indicates that retailers are, I believe, taking not just advantage of good prices at the moment but advantages that have been given by cuts in income tax which came into effect on 1 July
of last year and an accommodative monetary policy which has saved home mortgage buyers over $3,000 per annum on the average mortgage since this government came to office.

We had a very interesting premiers conference here in Canberra on Friday of last week. All of the state Treasurers arrived here in Canberra—five of them Labor Treasurers. I got the opportunity to meet for the first time the Labor Treasurer of Victoria, Mr John Brumby, who made the following comment after the premiers conference, speaking on Melbourne ABC radio. Mr Brumby, a real Treasurer in a real government—albeit a Labor one. Mr John Brumby, the Labor Treasurer—and I would urge, on thinking members of the House, consideration of his words—said:

I don’t like people talking of recession. I don’t like people talking the economy down. I don’t think that is where we are at.

That was on Friday afternoon. Have a guess who called the press around to a soccer match on Saturday to talk the Australian economy down? Who do you think would have thought it was so important to have the press at a soccer game so that he could talk down the Australian economy? Here is Brumby on Friday, basically laying the finger on the Leader of the Opposition and his henchmen, saying, ‘I don’t like people talking the economy down. I don’t think it is where we are at.’ He could not resist for 24 hours. He had to get the press around to a soccer match in an absolutely irresponsible action. No ideas, no policy—just a desire to try and make false political capital out of talking the Australian economy down—and not nearly as responsible as Mr John Brumby, and that is saying something.

Youth Allowance

Mr SWAN (2.18 p.m.)—My question without notice is directed to the Minister for Education, Training and Youth Affairs. Given that it is National Youth Week, I ask the minister whether he is aware of substantial problems with his youth allowance policy, including difficulties for young people in accessing youth allowance, excessive effective marginal tax rates for families receiving youth allowance and the inadequacy of youth allowance income for many young people. When will the minister admit his Youth Allowance policy has been a failure and commit to overhauling it?

Dr KEMP—The Youth Allowance policy has of course been one of the major and very positive initiatives of this government which has done away with the incentives that the Labor Party put in place for young people to drop out of school and go on to welfare. For years Labor gave young people the message that there was an alternative lifestyle available on the dole if they dropped out of school. That was what Labor’s message to young people was. We introduced the youth allowance so that the incentives would be such as to encourage young people to invest in their own futures by continuing with their education and continuing to build up their skill levels. That is one of the reasons why we have seen a very significant fall in youth unemployment under this government—in fact, a halving of youth unemployment since the peaks reached under the Labor Party government. I am flattered that the member for Lilley believes that this is a matter in my portfolio, but I refer him to the fact, however, that Youth Allowance comes under the portfolio of Family and Community Services.

Water: Salinity Action Plan

Mr WAKELIN (2.21 p.m.)—My question is addressed to the Deputy Prime Minister and Minister for Transport and Regional Services. Would the Deputy Prime Minister advise the House what steps have been taken by the government in the salinity action plan to protect the interests of farmers and rural communities? What impediments are there to protecting the rights of irrigators?

Mr ANDERSON—I thank the honourable member for his question and acknowledge that he represents a huge area of rural, regional and remote Australia.

Mr Howard—Representing it very well too.

Mr ANDERSON—He does it extremely well. I can say that, having spent some time with him in his own area, which is always a
pleasure. Salinity is a national problem that requires a national approach based on very sound planning, cooperation and the deployment of real resources. It already affects around 2½ million hectares, or five per cent, of the cultivated land in Australia. Without action it is estimated that that figure will rise to around 30 per cent, a truly horrendous figure not just in environmental terms but in terms of the impact on the Australian economy and the impact, potentially, on a world which will increasingly become dependent on the capacity of countries like Australia to produce food and fibre in the future.

The federal government is providing leadership on this very important question. We recognise that it is a challenge confronting Australian primary producers and the communities that they live in. Last year we announced a $1½ billion salinity action plan. It is a community led action plan or program, not a Canberra-knows-best solution imposed from on top. In addition to that, of course, we have deployed already $1½ billion or so through the Natural Heritage Trust. A great deal of that has been spent on land degradation and water quality. Again, that is a program that is led by communities acting in concert with sound advice, not a Canberra-knows-best approach.

The community as a whole, it needs to be recognised, has benefited from primary production. We all eat and we all wear clothes. Many of our jobs, our exports and indeed our nation’s wealth and our living standards are derived from the use of the land, and a lot of our rural and regional communities would simply close down if we do not deal properly with salinity and, importantly, as part of that help communities work through adjustment issues where they arise. When developing the salinity action plan, the government recognised the financial implications for farmers and their communities: very importantly indeed, we have written into the salinity action plan a clause that will ensure that loss of land-holders’ rights are adequately addressed and adjustment assistance and, where necessary, compensation is paid.

This is in stark contrast to the ALP’s approach. They have dealt with environmental issues across this nation in the most divisive and destructive manner that any government could. They have constantly divided city from country, and if anyone wants an example of the price that country people have paid they need look only at the forest industries. We have the Leader of the Opposition saying on Cairns radio on 14 March:

Labor will be putting caps on individual regions where there is major environmental damage or concerns of that nature.

He goes on to talk about the Greens party being, interestingly, ‘significantly interested in what Labor have to say’ before he moves on to talk about preferences with the Greens. He did not talk about engaging with the people who work the land. He did not talk about how he was going to work with farmers, the custodians, the managers, the producers from the land—the very people who in the end are the key to moving to sustainable land usage in this country where changes have to be made.

Of course, you can always learn from their brethren, particularly in Queensland and New South Wales, where continually Labor parties have shown their contempt for landowners, always willing to impact on landowners and their use of their resources, always ready to let that impact flow over into their communities without talking and working through proper studies of social and economic impacts and then making appropriate policy decisions. In relation to water, for example, the silence from Sydney is deafening, and then, in relation to land clearing in Queensland, what was the approach of the Beattie government to helping landowners cope with the unworkable solutions that he was putting up? A midnight fax through to us insisting on millions of dollars of Commonwealth money.

So, in short, it is about time that the opposition developed a policy on sustainable land use which was not focused on the people of Paddington, Middle Park, Balmain, Northbridge or Manuka but, rather, went to the people of Griffith, Leeton, Narrandera, Al-
bury, Wentworth, Mildura, Dubbo, Narrabri, Collarenebri, Gunnedah, Parkes, Forbes, Loxton, Berri, Biranbandi, St George—all communities made up of real people who are going to be impacted upon as we move towards sustainable production in this land. The coalition government has shown we can work in concert with those people; the ALP shows nothing but contempt for them.

Youth Allowance

Mr BEAZLEY (2.26 p.m.)—My question is to the Minister for Education, Training and Youth Affairs, in particular in his role as minister for youth affairs. I refer to the previous question regarding youth allowance. Is the minister aware that the Youth Pathways Action Plan Taskforce report is now more than a year overdue? I ask the minister if he is aware that this leaked copy of the report states that some young people denied youth allowance have ‘turned to petty theft or drug dealing to survive’. Minister, doesn’t this report confirm that your Youth Allowance policy is a failure, and isn’t this the reason why the report is now 13 months overdue? Haven’t you hidden the report because you and your government refuse to listen to young people who disagree with you?

Dr KEMP—The question comes from a Leader of the Opposition who pushed youth unemployment in Australia up to record levels. In fact, when the Leader of the Opposition was the minister for education and for employment, youth unemployment reached its highest levels for decades.

Mr Beazley—Mr Speaker, I raise a point of order that goes to relevance.

Mr SPEAKER—The Leader of the Opposition will resume his seat.

Mr Beazley—He has been asked a question—

Mr SPEAKER—The Leader of the Opposition will resume his seat.

Mr Beazley—about young people being forced—

Mr SPEAKER—The Leader of the Opposition will resume his seat. There is no point of order on relevance, as he is well aware.

Dr KEMP—The failure of the Leader of the Opposition, when he was responsible for this area of policy, devastated the lives of many young Australians.

Opposition members interjecting—

Dr KEMP—It has a great deal to do with the question, because the question related to the impact of policies on the lives of young people.

Mr Beazley interjecting—

Dr KEMP—You were the greatest failure, so far as young Australians were concerned, that this country has seen. So far as the report is concerned, the youth task force requested the government to provide them with an extension of time to prepare the report, which the government was perfectly willing to give.

Mr Beazley interjecting—

Dr KEMP—The report has recently been submitted to the government.

Mr Beazley—When?

Dr KEMP—The government is looking at the report—

Mr Beazley—Looking at it since when?

Dr KEMP—and will consider its handling of the report.

Mr SPEAKER—the minister will resume his seat. The Leader of the Opposition must know that on two occasions in the last 15 seconds he has openly defied the chair. The minister has the call, and the minister will be heard in silence.

Dr KEMP—the report considers a whole range of matters concerning the opportunities for young people and the way in which government programs can help young people. Naturally, of course, that is why the government commissioned the report in the first place. It is a report which follows on from the Prime Minister’s Youth Homelessness Taskforce. It is a report which will be very valuable to the government and will enable the government to put in place policies that will further assist young people.
The hypocrisy of this question coming from the Leader of the Opposition is hard to believe, because nobody has done more damage to the lives of young people in this country than the person who pushed up youth unemployment to those record levels. The member for Hotham, the Deputy Leader of the Opposition sitting behind him, was responsible for that whole destructive merry-go-round of youth programs under the Working Nation program, which was solely designed to redefine long-term unemployment as short-term unemployment and to try to shorten the youth queues. This government has brought youth unemployment down dramatically. It has put into place programs, like the Jobs Pathway Program, which are this year helping some 65,000 young people to get jobs from school and which is having a very significant effect in raising retention rates at public schools around Australia. This government has also put in place the JPET program, which was terminated by the previous government and is designed to help homeless and very disadvantaged young people. There are now some 130 centres around Australia helping these very disadvantaged young people to take control of their lives once more. The Deputy Leader of the Opposition, the member for Hotham, actually terminated that program, and yet it has been one of the most successful youth programs that this country has put in place.

Mr Crean—And what did we put in its place? An expanded one—and you know it.

Dr Kemp—You terminated that program—

Mr Crean—We put an expanded one in its place, and you know it.

Mr Speaker—Deputy Leader of the Opposition, for the third time!

Dr Kemp—and there was no substitute program put in place at all to compensate for the abolition of that program. As far as specific programs about the youth allowance are concerned, I suggest that you ask the relevant minister.

Mr Beazley—I seek leave to table the report from the Prime Minister’s Youth Pathways Action Plan Taskforce 2001, Footprints to the future.

Leave not granted.

Commonwealth-State Financial Arrangements

Mr Andrews (2.33 p.m.)—My question is addressed to the Treasurer. Would the Treasurer advise the House of the outcome of the ministerial council on Commonwealth-state financial relations, attended by state and territory treasurers in Canberra last Friday?

Mr Costello—I thank the honourable member for Menzies for his question. I can inform him that on Friday six state and two territory treasurers came to Canberra for the second ministerial council on Commonwealth-state financial relations and, in particular, to allocate to each of the states their share of GST revenues. The GST revenues have been paid to the states in their entirety from 1 July 2000, and all revenue from GST goes to state governments. As an example, the state of New South Wales is budgeted to receive $7.9 billion of GST revenue in this financial year. Excluding specific purpose payments, the New South Wales government spends $4.2 billion on education. GST funds the salary of every teacher in every classroom in every school in New South Wales, and then it funds more. In addition to that, it funds public order and safety.

Far from there being some kind of argument here in Canberra about the merits or demerits of GST, the argument that occurred here in Canberra was about who could get more of the GST revenues. Until then, I had never seen in all of my life a group of Labor state treasurers try to get their hands on a ‘filthy’ stream of revenue that the Labor Party supposedly opposes. In all of the arguments on Friday about who would get more of the GST revenue, there was not one state treasurer who demanded that there be a roll-back. The one word that was never mentioned at the Commonwealth-state financial council on Friday was ‘roll-back’. There was not one state treasurer—not even the Labor Treasurer of Tasmania—who asked for a roll-back of the GST.
I was very interested to come across a letter to the *Australian* on 31 March 2001 which was written by one of the members of this House. It starts off by saying this:

Dennis Shanahan wants a touch of excitement in politics ... and a real political debate about Australia’s future.

I would have thought that Dennis is a very exciting chap—I am sure his wife and family think that he is a very exciting chap, too. The member continued:

So do I ...

**Dr Martin**—He’s so excited that he’s disappeared.

**Mr Costello**—He has disappeared on more exciting business, pretty obviously. This member of parliament finished up, after calling for a touch of excitement in national politics, by saying this:

... could the next big discussion be about the future of our national government and the redefinition of states’ ‘rights’ and responsibilities now that the GST has shifted so much to them?

**Ms Kernot**—By you.

**Mr Costello**—The member for Dickson is defying the chair.

**Mr Costello**—That letter was written by Cheryl Kernot, the member for Dickson. ‘Now that the GST has shifted so much to them’—in other words, now that you have fixed Commonwealth-state financial relations, can we get on with a debate about national responsibilities? I feel like saying to the member for Dickson: your policy is actually to roll back GST revenues. That is your policy—to take it away. If you roll back GST revenues, you are either going to take teachers out of school classrooms or policemen off the beat, or, if you are going to make up the revenues, you are going to have to find a new tax to guarantee those revenues. The real reason that the Labor Party cannot announce a policy on roll-back is that they do not want the Australian public to know how much they intend to put taxes up. You cannot guarantee the money to the states and roll back the GST.

The New South Wales Treasurer, Mr Egan, had a press conference here in Canberra at the end of the Commonwealth-state financial ministers meeting. Have a listen to this. This is the Labor Treasurer of the largest state of Australia, who is committed by this Leader of the Opposition to the policy of roll-back. He was asked this question:

Would rolling back the GST help your position?

Egan: Well, let’s wait and see what policies the political parties come up with before the federal election.

Journalist: You are not exactly embracing roll-back, are you?

Egan: Well, I don’t know what the policy is yet. He does not know what the policy is, but he is not alone. The Leader of the Opposition does not know what the policy is, the Deputy Leader of the Opposition does not know what the policy is, the frontbench of the Labor Party does not know what the policy is and the backbench of the Labor Party does not know what the policy is. Most importantly, the people of Australia do not know what the policy is, and the Leader of the Opposition had better come out and announce it, because down in that fine print you will find that all roads lead to higher income taxes, and that is what he hides from the Australian public.

**Youth Allowance**

**Mr Swan** (2.38 p.m.)—My question without notice is directed to the Minister for Community Services, and it relates to the suppressed Youth Pathways Action Plan Taskforce report. Minister, are you aware that this report, like the McClure report before it, condemns your government for imposing marginal tax rates as high as 111 per cent on the families of many youth allowance recipients? Minister, how many reports will it take for you to end the punishment of low and middle income Australian families? Haven’t you hidden this report because you and your government refuse to listen to people who disagree with you?

**Mr Ross Cameron**—That is an imputation of bad faith and it should be withdrawn.

**Mr Speaker**—If the member for Parramatta wants the call, he will seek it, or otherwise remain silent.
Mr Ross Cameron—Mr Speaker, I raise a point of order. I refer to the two standing orders which specifically prohibit argument and the imputation of bad faith. I ask you to consider the scope of standing order 144 in prohibiting the presence of argument in questions, and, furthermore, the imputation of bad faith, which is inherently disorderly and is responsible for much bad conduct in this House.

Mr SPEAKER—I refer the member for Parramatta to the statement I issued on I think the last sitting day of last year. The member for Parramatta is right that there has been an instance in question time today where a question did advance more argument than I ought to have tolerated under that standing order, but I do not believe the question just asked by the member for Lilley exceeds those boundaries.

Mr ANTHONY—It is extraordinary the crocodile tears that are being cried by the member for Lilley and by the Australian Labor Party. As another minister said in an earlier answer, the greatest travesty that you perpetrated on young people was record youth unemployment, the highest ever seen in this country. The other point, of course, is that you quite conveniently churned people through Working Nation. Apprenticeships were at the lowest level since the war when the ALP was last in government. The thing that we did for youth allowance that you never did was to make it available to many people in rural and remote Australia, and they now have access to rental assistance that they had never had. The previous policy of the Labor Party made it easier for people to go on unemployment benefits than it was to go on Austudy. What we did was to introduce youth allowance where, as at the end of last year, there are now over 374,000 young people receiving youth allowance which is substantially more flexible with increased payments than Austudy.

The government has received the report. We received it about a month ago and we will make an assessment of it. As far as the McClure report is concerned, it is this government that is tackling welfare depend- ency—something that you never ever did, because it was a policy of the Australian Labor Party almost to encourage welfare dependency to become intergenerational. This government wants to provide opportunities, and we have through a far more flexible job network provided opportunity in the sense of providing increased training and assistance, particularly to those people who are vulnerable within the community. As far as youth allowance is concerned, it has been extremely successful. I would just like to mention that 68,000 students are now receiving youth allowance and rental assistance that never would have received it under the previous policies of the Australian Labor Party. That is $52 a fortnight. There are 19,400 people in remote and rural parts of Australia who would never have received rental assistance but for the positive policies that we introduced for youth allowance. I totally reject these pious crocodile tears coming from the member for Lilley, who is the ultimate hypocrite.

Mr SPEAKER—The minister will withdraw that last reference.

Mr ANTHONY—If it offends you, Mr Speaker, I withdraw it.

Mr SPEAKER—The minister will withdraw without condition. It is not a question of whether I am offended; it falls outside the standing orders and guidelines.

Mr ANTHONY—I withdraw.

Australian Defence Force

Mr HAWKER (2.43 p.m.)—My question is to the Minister for Defence. One hundred years on from the formation of the Australian Army and 80 years since the formation of the Royal Australian Air Force, I ask the minister what capacity has the Australian Defence Force to meet challenges in our region, and is the minister aware of alternative approaches in this regard?

Mr REITH—I thank the honourable member for his question. I also acknowledge the significant effort he puts into the whole debate about defence and the expertise that he brings to the issue. As detailed in the defence white paper, the government views the
defence of Australia within a regional context, and it was the Prime Minister who said:

Mr Beazley interjecting—

Mr SPEAKER—The Leader of the Opposition.

Mr REITH—The Prime Minister said:
... while the self-reliant defence of Australia remains the basis of our defence policy—

Mr Beazley interjecting—

Mr SPEAKER—The Leader of the Opposition!

Mr Beazley interjecting—

Mr SPEAKER—If the Leader of the Opposition wants to challenge the chair—

Mr Barresi—You’re a child, Beazley.

Mr SPEAKER—The member for Deakin! The minister has the call.

Mr REITH—To finish the quote:
... it is not the limit of that policy. Our security equally depends on developments in our neighbourhood and beyond.

The fact that when the Howard government was elected in 1996 it immediately started the task of providing additional support to the Army was vindicated by the developments and successes which we have seen in the deployment to East Timor.

I am asked if I am aware of any alternative approaches in this area. What I am aware of is basically confusion on all fronts from the opposition when it comes to defence policy. After a couple of weeks of questioning back in early March, the shadow minister told the West Australian that Labor’s defence policy would not be decided until after the budget. So we were going to be told sometime in May. Then a few days later we were told:

... although it will reveal how much money a Labor Government would allocate to defence in general, it will not tell voters what it will be spent on until after the election.

That came from the opposition leader. Then on 13 March we had yet another story. This time the story was that the 1998 policy was now null and void. That was contradicted back in 2000, when the Leader of the Opposition was advocating two subs to the Adel-
Mr SPEAKER—The member for Cunningham knows better than that.

Mr REITH—that, as the Leader of the Opposition was defence minister for years, he ought to at least be able to conjure up a policy for the next election and tell people where he stands. I will tell you why the shadow minister is a bit confused, it is because he is a bit worried. The reason he is a bit worried is that we now know that the Chief Opposition Whip is going to be the cabinet secretary. I will tell the shadow minister something that he will not acknowledge—that is, we know for a fact that he is not going to be the Defence minister if the Labor Party ever get in. He has got a lot of reason to be worried. No wonder he is confused.

Job Network: Young Unemployed

Mr SPEAKER—I call the member for Dickson.

Mr Bevis interjecting—

Mr SPEAKER—The member for Brisbane is denying the member for Dickson the call.

Ms Gillard interjecting—

Mrs Draper interjecting—

Mr SPEAKER—The member for Lalor! The member for Makin! I have recognised the member for Dickson and the discourtesy of her colleagues on both sides of the House has denied her the call.

Ms KERNOT (2.49 p.m.)—My question is to the Minister for Employment Services. Minister, are you aware that Dr Kemp’s suppressed Youth Pathways report states: Many young people find the Job Network difficult to access and too complex to negotiate. It is often poorly connected to local community processes and youth service networks. There is little recognition—

Mr SPEAKER—The member for Dickson will come to her question.

Ms KERNOT—The report continues: There is little recognition that the preparation required for work by young people is very different to adults.

Minister, will you acknowledge this weakness of the Job Network and its failure to prepare many young Australians for work, because it does not offer guaranteed—

Mr SPEAKER—The member for Dickson—

Ms KERNOT—because it does not offer—

Mr SPEAKER—The member for Dickson!

Ms KERNOT—This is a question, Mr Speaker.

Mr SPEAKER—The member for Dickson will not defy the chair. She will resume her seat.

Mr McMullan—Mr Speaker, I just seek clarification from you first: are you requiring the member for Dickson to resume her seat, suggesting that what has been proposed is not a question when she asks a minister whether he will acknowledge a weakness in his program? If not, what is accountability all about if that question is not acceptable?

Mr SPEAKER—I had not ruled the question out of order. I had asked the member for Dickson to come to her question. She then continued to quote from the report and the question was in order. The question then became lengthier than I thought was necessary, and that is why I asked her to resume her seat. The question stands.

Mr BROUGH—The first thing to say is that there is no hidden report. That is just absolute poppycock, as you would expect from the shadow minister. She talks about the Job Network, but I am afraid that, even though she actually has a Job Network provider in her own building, she knows very little about the processes nor the parts of the Job Network which constitute the job search training, intensive assistance and of course job matching.

The facts are that the Job Network has provided 14 per cent better outcomes than the old Working Nation, at almost half the cost of Working Nation. The only thing that is on the public record is your comments when you were with the other party in the other place supporting failed programs under
the Working Nation program. Job Network has been responsive to the market. It has over 2,000 different outlets where young people can actually access jobs. It also has IT, which allows for young people to be able to access any job in Australia from their own home, from libraries, from their schools or, in fact, from any Centrelink office.

Mr Snowdon interjecting—

Mr SPEAKER—The Member for the Northern Territory!

Mr BROUGH—It is time that you learnt something about the Job Network and started to assist the unemployed of this country.

Mr SPEAKER—Before I recognise the member for Boothby, I remind all members, but particularly ministers in responding to questions, that references to ‘you’ and ‘your’, while not, I imagine, intended to reflect on the chair, could have left people listening to that answer with the impression that the chair, in an effort to be independent, belonged to a number of political parties. I will interrupt ministers in future if they continue to make references to ‘you’ and ‘your’.

Health: Policy

Dr SOUTHCOtt (2.53 p.m.)—My question is addressed to the Minister for Health and Aged Care. Would the minister update the House on any recent announcement concerning plans to legislate the relationship between general practitioners and their patients? Minister, what impact would this have on Medicare and Australia’s health care system?

Dr WOOLDRIDGE—I thank the honourable member for his question. I am aware of a recent policy announcement from the member for Jagajaga, and honourable members will understand that these are so infrequent as to have some novelty value. The member for Jagajaga put out a press release last week saying that she intended to introduce a bill that would force doctors to do certain things. One of these is that she would make it a legal requirement for GPs who want to refer a patient to a specialist to refer the patient not to one specialist in that field but to three specialists. Let me focus on this for just a moment.

Ms Macklin interjecting—

Mr SPEAKER—The member for Jagajaga is defying the chair.

Dr WOOLDRIDGE—The member for Jagajaga has said that Labor will require doctors to normally provide three choices of specialist when referring patients. What does this mean in practice? Take Coonabarabran in the Deputy Prime Minister’s electorate. I asked the Health Insurance Commission to tell me what the options would be for a person who had a sick child in Coonabarabran, a city of 3,000 people—

Ms Macklin interjecting—

Mr SPEAKER—The minister will resume his seat. I warn the member for Jagajaga.

Dr WOOLDRIDGE—The nearest place to Coonabarabran that has three paediatricians is Sydney, but there are other options: Dubbo, Orange, Wellington and Bathurst. Dubbo is 150 kilometres away, Orange is 200 kilometres away, Wellington is 200 kilometres away and Bathurst is 270 kilometres away, but none of these has three specialists. It would be completely impractical. Someone in Ceduna would have to go to Adelaide, which is 500 kilometres away, to access three specialists and if they were not all available at the one time it would require three round trips. People in Charleville would have to go 700 kilometres to Toowoomba. This is a flight of fancy. The honourable member for Boothby understands, as I do, that the relationship between a doctor and their patient is one based on trust, not one which includes, when referral is necessary, referral to three people. How on earth does the Leader of the Opposition expect people to adequately choose between three microvascular neurosurgeons, even if you could find three of them in a capital city? How on earth does Labor imagine that something like this would be workable? It is completely unworkable for rural people, for imaging, for highly specialist procedures and for emergencies.
Another worrying point of this is the cost of the policy. If you look at the fact that 35 per cent of specialists’ consultations are initial consultations and if you took the assumption that two out of three people would consult the doctors to which they are given the options, the total cost of this policy as costed by my department is $452 million in a year. How is Labor going to pay $452 million? The nearest round amount that we can find is the Rural Health Strategy, something Labor has not once said that they would keep. Here we have it, a policy made on the run, a policy that is completely impractical, a policy that shows no understanding of the health care system, and a policy that would not apply to emergencies, rural people, imaging, or highly specialised procedures—a policy that shows what happens when you make policy on the run.

**Job Network: Breaches**

Mr ZAHRA (2.57 p.m.)—My question is to the Minister for Community Services. Minister, are you aware that Dr Kemp’s suppressed Youth Pathways report criticises, and I quote:

... the rigidity of activity testing for young people who have experienced family breakdown, sexual abuse, drug abuse or mental health problems.

In particular, are you aware that these young people, trying to survive in difficult circumstances, are often being fined more than $800 for minor breaches? Minister, why won’t you act in response to these findings, or do you prefer the government policy of ignoring people who disagree with you?

Mr Ross Cameron—I raise a point of order under standing order 144. I think there is a great will on this side of the House to do the right thing, but the last part of that question so exceeds the bounds of even your generous tolerance that I ask you to require it to be withdrawn.

Mr SPEAKER—I do not believe that the latter part of the question did anything to enhance the authenticity of the question and it therefore ought to be ignored.

Mr Snowdon interjecting—

Mr ANTHONY—The member raises some interesting questions, particularly about the breaching regime that is currently in place under the coalition government. The interesting thing for young people—indeed, for anybody—under the previous stewardship of the Australian Labor Party was that, if they were in breach, they lost their total entitlement. We introduced a gradual regime to ensure that we did not penalise people unfairly, which is exactly what the Australian Labor Party’s policy did through the then Department of Social Security. Of those people who have lost their total payment under this government—and a lot of them could be young people, although we are very mindful of young people who are vulnerable, whether they are homeless, whether they have a disability or whether they are at risk—only 9,500 people lost that total entitlement for breaching. When Labor was in government that figure was around 80,000 to 90,000. It is just outrageous for the Australian Labor Party to show this affected compassion when the breaching regime that they had in place when they were in government was far more severe—indeed, you supported this legislation through the Senate. So what you say and what you do are two different things—and the Australian public knows that.

**Ethanol Production**

Mrs DE-ANNE KELLY (3.00 p.m.)—My question is addressed to the Minister for Agriculture, Fisheries and Forestry. Would the minister outline to the House the assistance the federal government is providing for the construction in Brisbane of a mixing and distribution system for ethanol? How will this project help reduce Australia’s greenhouse gas emissions and assist with the production of an alternative fuel source?

Mr TRUSS—I thank the honourable member for Dawson for her question and, in particular, acknowledge her work as chairman of the government sugar industry task force. Along with the members for Hinkler, Page, Fairfax and Leichhardt, she put a great deal of enthusiasm into promoting the pro-
duction of ethanol from sugar. They will be aware that I commissioned last year a review of the economics of the production of ethanol. Yesterday, I was very pleased to announce a project which takes the distribution of ethanol, and particularly ethanol-petrol mixes, a major step forward. The federal government, under its greenhouse gas abatement program, has offered BP Australia $8.8 million towards a $90 million project to help ensure that ethanol mixed with petrol is available through service stations in Brisbane and other parts of the east coast network.

The production of ethanol has significant advantages for Australia. Firstly, over five years this project will enable Australia to save about 1.1 million tonnes of greenhouse gas emissions. Secondly, it makes our country a little less dependent upon OPEC and international oil prices and, thirdly, it has the potential to create significant jobs in rural and regional Australia as ethanol distilling establishments are provided and farmers gear up to the production of alternative fuels. It is certainly an industry with significant potential and, to have the support of one of the petrol majors, using its distribution network to supply petrol-ethanol mix, is certainly a major step forward for alternative energy production in Australia.

This of course will not be the first production of ethanol in Australia. The Manildra Group, in the electorate of the honourable member for Gilmore, are major suppliers of ethanol. They produce about 32 million litres a year at the present time and distribute some of that by way of petrol-ethanol mix. That example can be followed by the grain industries and the sugar industries to provide enormous potential for the production of ethanol and the use of alternative fuels in Australia. BP will be required to source its ethanol from Australian producers, so this is a significant boost to Australian industry. I would like to commend all of those who have been associated with this project, and I note that the sugar industry in particular is looking forward to cooperative ventures to produce the ethanol and to boost many rural and regional economies in the sugar belt of Queensland and northern New South Wales.

**HHI Insurance**

Mr CREAN (3.04 p.m.)—My question is to the Minister for Financial Services and Regulation. Minister, precisely when were you first informed by APRA of its concerns that insurance firm HIH was in financial difficulty?

Mr HOCKEY—During last year, I asked APRA on a number of occasions about the financial position of HIH. They replied to me with a memo on 2 November confirming that HIH was facing financial difficulties but that in fact HIH was, on the June accounts, quite stable.

**Internet: Gambling**

Mr CAMERON THOMPSON (3.05 p.m.)—My question is to the Minister for Community Services. The minister will recall last year’s Productivity Commission report into the gambling industry and the serious problems that that report highlighted. Is the minister aware of any new reports on the escalation of Internet gambling? Do these reports support the government’s concerns that the spread of gambling harms families and harms the wider community?

Mr ANTHONY—I thank the member for Blair. I know he shows a very keen interest in social issues and particularly the proliferation of gambling. I inform members of the House of two very important articles published in the United States recently, which I hope might be taken on board by the Australian Labor Party. The first is an article by Gannett news service titled ‘Addiction risk high in Internet gambling’. In this article this organisation anticipates that gambling online in America will triple by 2004. This means that gambling will go to $6.3 billion by 2003, up from $651 million—almost a ten-fold increase since 1998. The report also highlights the concerns of the American Psychiatric Association about young people who have access to credit cards and, particularly, that they are susceptible to the use of the Internet. Why? It is because that age group uses the Internet more than any other age group. The association said, and this is a very salient point, that there are many online video and broader gaming sites which are
targeting children and teens, including links to gambling sites. We also know that 10 per cent to 15 per cent of these young people have reported significant gambling problems as a result of the Internet.

Another survey in the New York Times news service was called ‘Betters find online gambling harder to resist’. This was a report by Pew Internet and American Life Project which also demonstrated that around five per cent of Internet users gamble; that is, 4.5 million Americans in total, with one million gambling every day on the Internet in the United States. It also stated that women and the less affluent were more vulnerable and were using the Internet, which is obviously a growing concern in the United States and is a growing concern for the government here. We do not want to see a proliferation in the accessibility of gambling, and the negative social consequences that it will have, particularly on the family structure and on crime. That is why a lot of surveys that have come out locally—indeed, from my department—illustrate that 68 per cent of Australians support the coalition’s ban on interactive gambling. Is it any wonder; with interactive technology, the use of the Internet and the use of digital television, gambling problems will be exacerbated. Under this government, all the revenue from the GST will go back to the states. They do not need to encourage or increase the amount of gambling. We are drawing a line in the sand as we do not want to see—

Mr Costello—They might under rollback.

Mr ANTHONY—They might under roll-back, as the Treasurer said. This government wants to draw a line in the sand; we do not want to see interactive gaming happening in this country. That is why I call on the Leader of the Opposition, Kim Beazley, Bracks, Bacon and Beattie to follow suit with the Australian population, to ban interactive gambling and to start to come on board with the Liberal and National parties in addressing some of these major social issues. That is the responsibility that you should be taking here and in the Senate.

HIH Insurance

Mr CREAN (3.09 p.m.)—My question is again to the Minister for Financial Services and Regulation. It relates to HIH and follows his last answer. Minister, are you satisfied that APRA has kept you properly advised on all occasions and has properly discharged its supervisory functions?

Mr HOCKEY—It is not for me to give a running commentary on APRA. The reason why it is not for me to give a running commentary on APRA is that the focus of all the entities at the moment—that is, the Australian Prudential Regulation Authority, the Australian Securities and Investments Commission, the Insurance Council of Australia and all state governments—should be on the interests of the policyholders. As APRA indicated over the weekend and I am happy to confirm, since October-November last year APRA has been working diligently with HIH to try to resolve any problems that might be associated with any changes in the financial state of HIH for policyholders. This has been a particularly important step because it has delivered to policyholders some substantial benefits. For example, the Allianz deal was announced in September 2000 and commenced on 1 January 2001. That deal between HIH and Allianz covers one million policyholders and has delivered on the fact that all of the following personal and domestic insurance policies, which were current—

Mr Crean—I raise a point of order as to relevance, Mr Speaker. The question was: have they kept him properly advised and have they discharged their function—

Mr SPEAKER—The Deputy Leader of the Opposition will resume his seat. I had noted the question and felt that any comment that the minister was making about correspondence between him and APRA was entirely relevant to the question.

Mr HOCKEY—The Allianz deal, which APRA has approved, covers private motor, compulsory third party, private pleasure craft and home building and contents, and it has also sought to protect small business and rural and commercial insurance policies. Allianz paid out $45 million in the first two
months of 2000, obviously as a direct result of the deal between HIH and Allianz. The second major deal involves NRMA and was announced on 14 March and came into force on 15 March. I remind the House that HIH went into provisional liquidation on 15 March. That covers 8,000 policyholders, covering workers compensation schemes. Then QBE, which is the third part of the deal to protect HIH policyholders, originally only covered anyone travelling on or after 17 March. That deal was announced on 6 March, came into force on 17 March and protected 750,000 policyholders who were travelling. All the efforts of the Australian Prudential Regulation Authority and the Australian Securities and Investments Commission are focused on protecting policyholders. I hope that the Labor Party supports that policy.

Trade Unions: Membership

Mr PROSSER (3.13 p.m.)—My question is to the Minister for Employment, Workplace Relations and Small Business. Can the minister inform the House of union influences on Australian workplaces and other institutions? What is the effect of declining union representation on Australian workers?

Mr ABBOTT—I thank the member for Forrest for his question. Last year, when total employment grew by some 300,000, total union membership grew by just 23,000. I can inform the House that union membership has fallen in the past two decades from over one-half to under one-quarter of the Australian workforce. Just under 20 per cent of the private sector work force are now members of trade unions; just under 50 per cent of the public sector work force are now members of trade unions. Even though fewer than 25 per cent of Australian workers are union members, 100 per cent of Labor members of parliament are union members. Nearly 60 per cent of the Leader of the Opposition’s frontbench are not just union members; but former trade union officials.

Because the unions control 60 per cent of the vote at Labor Party conferences, there are many safe Labor seats which are virtual rotten boroughs of the union movement. Between them, the Australian Workers Union and the Shop Assistants Union control more rotten boroughs than the Duke of Newcastle controlled before the 1832 reform act. This is why the member for Werriwa could point to members of the Leader of the Opposition’s frontbench and say that they owe their positions entirely to Nepotism Inc.

Mr McMullan—Mr Speaker, I rise on a point of order which goes to relevance. This historical treatise is neither very accurate nor very interesting; nor is it in order or relevant to the question.

Mr SPEAKER—The Manager of Opposition Business has raised a point of order on relevance. I was having some difficulty in linking the comments of the minister to the question on the effect of union decline on the Australian workplace. I invite the minister to return to the question.

Mr ABBOTT—I appreciate that members of Nepotism Inc. are not happy with this, but the fact is that, because the unions control the Labor Party, they completely and utterly dictate opposition policy. This is why members of the opposition are going to abolish Australian workplace agreements, abolish the Employment Advocate and turn contractors into employees. What members opposite want to do is to allow unions representing fewer than two million workers to completely determine the pay and conditions of nearly six million Australian workers. It is not right; it is not fair. If the Leader of the Opposition had any guts, any ticker, any integrity, he would cease being the ventriloquist’s dummy of the ACTU, he would end the union bloc vote and he would remove the socialisation clause from the Labor Party platform.

Government members interjecting—

Mr Crean interjecting—

Mr SPEAKER—Is the Deputy Leader of the Opposition seeking the call? While I am not being assisted by some ministers, I would remind the Deputy Leader of the Opposition of his status in the House.
HIH Insurance

Mr CREAN (3.17 p.m.)—My question is again to the Minister for Financial Services and Regulation. Minister, in APRA’s advice to you on 2 November, which you have just told the House about, did they advise that requests had been made for the appointment of an inspector into HIH?

Mr HOCKEY—I would need to check that advice. I am happy to advise the House of a letter that I have received from Mr Graeme Thompson dated yesterday, 2 April. It says the following—

Opposition members interjecting—

Mr HOCKEY—Today is the 2nd. The letter says:

I am writing in relation to the HIH issue that was raised with you in the House of Representatives question time ...

I confirm APRA’s advice to you on that day that neither the New South Wales Government nor the Motor Accidents Authority of New South Wales (MAA) advised or instructed APRA that it should appoint an inspector to the HIH Insurance group at any time.

I also confirm our understanding that, under its legislation, the MAA has the power to appoint its own inspector to a compulsory third party insurer without receiving advice or approval from APRA.

I confirm that the MAA—

that is, in New South Wales—appointed an inspector to HIH on 6 March 2001, while APRA had issued its show cause notice regarding the appointment of an inspector on 1 March 2001. Our legislation requires us to issue a show cause notice with the company having 14 days to respond before we can appoint an inspector, but the MAA has no such obligation.

For your further information, I have consulted APRA officers who were involved in discussions with the MAA about HIH in late October/early November 2000. Their clear recollection of those discussions is that:

• the MAA advised it was considering its options for the appointment of an inspector to HIH with regards to its motor vehicle compulsory third party business;

• the APRA officers advised that APRA was working closely with HIH on various questions about its financial position and was not, at that time, intending to appoint an inspector;

• APRA officers provided the MAA with APRA’s latest assessment of HIH;

• MAA officers did not suggest that APRA itself should appoint an inspector;

• at no point did APRA argue that the MAA should not appoint an inspector because that would cause a loss of market confidence in HIH.

The letter goes on to talk about Queensland’s allegations:

APRA’s officers had several discussions with the MAIC—

that is, in Queensland—about HIH’s financial position, but they never expressed the view that all was well.

The chief executive of APRA goes on to make a number of points, but I would just like to advise the House of the last two.

Opposition members interjecting—

Mr HOCKEY—I will table it. He goes on to say:

I also repeat that the vast majority of the HIH Group’s policyholders are in a better position now, as a result of arrangements made with other insurers, than they would have been if APRA had appointed an inspector late in 2000. And I note that APRA staff have worked very hard in recent weeks and months to facilitate these arrangements.

Finally, I assure you that APRA’s supervision of HIH over past months has been totally aimed at protecting the position of the policyholders with this troubled company. We will continue to work with the provisional liquidator to achieve the best possible result for those policyholders who still have claims on the company.

I am happy to table that letter. APRA’s work is unfinished and therefore APRA deserves the opportunity to try to continue to protect the interests of policyholders without a running commentary from the sidelines.

Mr Crean—Mr Speaker, the minister said—

Mrs Draper interjecting—

Mr SPEAKER—Member for Makin, the Deputy Leader of the Opposition has the call and is entitled to be heard in silence.

Mr Crean—The minister said he would check the question that I had asked. I ask: will he come back into the House later today
to give me the full information? This is a very important issue.

Mr SPEAKER—The Deputy Leader of the Opposition will resume his seat. The minister has responded to the question. If the Deputy Leader of the Opposition is seeking any other information from the minister, he can raise it with the minister privately.

Mr Crean—Mr Speaker, I seek indulgence from you.

Mr SPEAKER—The Deputy Leader of the Opposition may, at the end of question time, ask a question of the Speaker. There is no occasion for indulgence at this point in time.

Mr Schultz interjecting—

Mr SPEAKER—The member for Hume is fortunate that interjections are not considered as something necessary to be directed through the chair as well.

Trade: Export Performance

Mr McARTHUR (3.22 p.m.)—My question is addressed to the Minister for Trade. Would the minister inform the House about recent trends in Australia’s trade performance and steps the government is taking to further develop our export opportunities?

Mr Tanner—Didn’t you answer this last week?

Mr SPEAKER—Member for Melbourne!

Mr VAILE—I thank the member for Corangamite for his question. Whilst the slowing—

Mr Tanner—What’s been happening since then?

Mr SPEAKER—Member for Melbourne, for the third time!

Mr VAILE—Whilst the slowing global economy poses challenges for Australian exporters, Australian exporters continue to do an outstanding job as far as Australia is concerned and as far as the strength of our economy is concerned. I would like to inform the House that the latest monthly trade figures show a substantial improvement in the balance of trade in February 2001 over the previous month. The balance of trade moved from a deficit of $89 million in January to a surplus of $389 million in February. Moreover, in trend terms, the balance of trade in February moved into surplus for the first time since August 1996. Exports rose three per cent in February, with rural exports jumping 15 per cent.

That news this year in the month of February is unquestionably fantastic for the Australian economy. I am sure that the member for Corangamite very quickly put a press release out around his electorate, identifying the great job that the exporters from his electorate were doing. I might have missed something, but I have not seen one from the Australian Labor Party acknowledging these good results by Australia’s exporters in February this year, because the Australian Labor Party are not interested in good news. They are not interested in talking up the Australian economy; they are only interested in talking the Australian economy down. While the Australian Labor Party are sitting around, wanting to slide back into office, our government is busy working with our exporters to deliver new market opportunities and to facilitate better opportunities for economic growth in our country and for Australia’s exporters.

Tomorrow I will outline the government’s annual trade outcomes and objectives statement, which is our report card to the Australian people on our trade performance for the 12 months of the year 2000, and an outline of what we propose to do during the next 12 months. One of the more important trade policy tasks we are going to undertake is to strengthen the bilateral relationship with the new US administration later on this year. I will be travelling to the US to meet the new USTR, Bob Zoellick, to talk about issues revolving around the WTO later on this year, the ministerial APEC and the possibilities of a bilateral free trade agreement.

The important point is that we have continued to work to strengthen economic circumstances in Australia to facilitate a better trading opportunity. We have embarked upon economic reform, which has strengthened the opportunity for Australia’s exporters. We have embarked upon workplace relations...
reform, waterfront reform and taxation reform—all of which have undeniably strengthened the position of Australia’s export industries. All reform projects that we have undertaken have been opposed at every turn by the Australian Labor Party. At the end of last week, we saw some good news for the Australian economy, good news for Australian exporters. To date, I have not seen an acknowledgment of that from the Australian Labor Party.

Mr Howard—Mr Speaker, I ask that further questions be placed on the Notice Paper.

PERSONAL EXPLANATIONS
Ms MACKLIN (Jagajaga) (3.27 p.m.)—Mr Speaker, I wish to make a personal explanation.

Mr SPEAKER—Does the honourable member claim to have been misrepresented?
Ms MACKLIN—I do, Mr Speaker, twice, in question time.

Mr SPEAKER—Please proceed.
Ms MACKLIN—In question time, the Minister for Health and Aged Care misrepresented the Labor Party’s policy on the corporatisation of medicine. It is quite clear in our policy on the issue of GPs being required to issue three names of specialists with whom a patient could consult—

Mr SPEAKER—The member for Jagajaga must indicate where she has been misrepresented.
Ms MACKLIN—that is what he said about the member for Jagajaga. He made that reference.
Mr SPEAKER—The member for Jagajaga may proceed.
Ms MACKLIN—it is quite clear in the policy that we released last Thursday that an exception will be allowed to cover any situation where the doctor thinks there are only one or two specialists capable of providing the treatment. It is unfortunate that the minister did not properly read the policy statement. The second area where he misrepresented me was when he suggested that we would be paying for all of these referrals. If he had read the draft bill which I released for public comment last Thursday, he would know it was very clear that we intend to pay for only one of those referrals. The intention of the policy is to provide greater choice for patients. That is the Labor Party’s policy.

Mr SPEAKER—The member for Jagajaga knows she cannot advance an argument. She has indicated where she has been misrepresented.

Ms MACKLIN—it is not the corporatisation of medicine, which is the government’s policy.

Mr CREAN (Hotham) (3.28 p.m.)—Mr Speaker, I wish to make a personal explanation.

Mr SPEAKER—Does the honourable member claim to have been misrepresented?
Mr CREAN—I do, Mr Speaker.
Ms MACKLIN—It is a change in name—no change in substance, but just cuts to the program itself.

Mr CREAN—It is a change in name—no change in substance, but just cuts to the program itself.

Mr CREAN—Today in question time, the Minister for Education, Training and Youth Affairs claimed to have introduced the Jobs Pathway initiative instead of Labor under my stewardship. That is not correct. As the reports of the department show, the programs in 1995-96, when I was the minister, have a clear heading ‘Jobs Pathway guarantee’ at page 81. It was an initiative we introduced under the Working Nation program. Certainly it is there in their 1996-97 program. It is simply called the Jobs Pathway program.

Mr SPEAKER—The Deputy Leader of the Opposition must indicate where he has been misrepresented.
Mr CREAN—It is a change in name—no change in substance, but just cuts to the program itself.

Mr SPEAKER—The minister for Health and Aged Care misrepresented the Labor Party’s policy on the corporatisation of medicine. It is quite clear in our policy on the issue of GPs being required to issue three names of specialists with whom a patient could consult—

Mr SPEAKER—The member for Jagajaga must indicate where he has been misrepresented.
Mr STEPHEN SMITH (Perth) (3.29 p.m.)—Mr Speaker, I wish to make a personal explanation.

Mr SPEAKER—Does the honourable member claim to have been misrepresented?
Mr STEPHEN SMITH—Yes.
Mr SPEAKER—Please proceed.
Mr STEPHEN SMITH—Last week in the Senate, during debate on a message from
the House on the Broadcasting Legislation Amendment Bill 2001, the Minister for Communications, Information Technology and the Arts, Senator Alston, asserted that, following a discussion between my office and his, I had undertaken that no amendments to the House’s message would be moved by the opposition in the Senate during debate on the message. In the face of such amendments being moved by the opposition in the Senate, Senator Alston, during debate, alleged treacherous and dishonourable conduct on my part. The facts are these. Subsequent to the discussion between my office and Senator Alston’s office, I said, during debate on the bill in the House:

This issue is not concluded. We are not finished, and when the matter returns to the Senate, Senator Bishop, my representative in that place, will move a similar set of amendments or motions. In the event, that is what occurred—of which there was notice. Suggestions made by Senator Alston are entirely fallacious and without foundation; they are a cover for his lack of policy merit.

Dr MARTIN (Cunningham) (3.30 p.m.)—Mr Speaker, I seek leave to make a personal explanation.

Mr SPEAKER—Does the honourable member for Cunningham claim to have been misrepresented?

Dr MARTIN—I do.

Mr SPEAKER—Please proceed.

Dr MARTIN—I have been misrepresented on two occasions by the Minister for Defence in his response to a question on Labor’s defence policy and specifically in quoting me from a media release. Firstly, the minister said that Labor’s policy would not be released until after the election. In fact, the quote which he should have used from my media release of Tuesday, 13 March was:

Now that a clear strategic and capability plan is in place, it is not appropriate for the Opposition to announce or speculate on specific defence equipment or force structure issues before the election. Only governments, with full access to expert advice within the Defence Organisation should do so once the overall plan is in place.

That is a view contained at paragraph 8.2 of the government’s own white paper when it says that the defence capability plan will not remain immutable over the next decade, that it will be reviewed annually and that individual projects will have to be considered and approved by governments before proceeding.

Ms KERNOT (Dickson) (3.31 p.m.)—Mr Speaker, I seek leave to make a personal explanation.

Mr SPEAKER—Does the honourable member for Dickson claim to have been misrepresented?

Ms KERNOT—I do, Mr Speaker.

Mr SPEAKER—Please proceed.

Ms KERNOT—In question time today the Treasurer read from a letter that I wrote. My letter did not say that the GST had solved Commonwealth-state financial relations as he implied. In fact, it said that it raised a much bigger, serious question. In fact, what responsibilities are left for a coalition government that is walking away from responsibility for anything except raising a GST?

Mr SPEAKER—The member for Dickson must indicate where she has been misrepresented.

QUESTIONs TO MR SPEAKER

Questions on Notice

Ms ELLIS (3.32 p.m.)—Mr Speaker, I seek your assistance under standing order 150 in relation to question No. 2072 dated October 2000 to the Minister for Aged Care and question No. 1600 dated 5 June 2000, again to the Minister for Aged Care. I actually brought these matters to your attention on 7 February, but I still have not received a response to either question from the minister.

Mr SPEAKER—I will follow up the matters raised by the member for Canberra as the standing orders provide.
Questions on Notice
Mr JENKINS (3.33 p.m.) — Mr Speaker, on 6 November 2000 I placed on the Notice Paper question No. 2129 to the Prime Minister regarding the Australian Sports Medal. At the time I thought it a simple question, but it appears to be as unplayable as a Harbhajan Singh off break, as it remains unanswered after 147 days.

Mr SPEAKER — The member for Scullin knows that this is a simple request that needs to be followed up.

Mr JENKINS — I ask that, in accordance with standing order 150, you write to the Prime Minister seeking reasons for the delay in answering.

Mr SPEAKER — I will follow up the matter raised by the member for Scullin as the standing orders provide.

Questions on Notice
Mr EMERSON (3.33 p.m.) — Mr Speaker, I, too, seek your assistance under standing order 150. Tomorrow marks the first anniversary of my asking question No. 1290 on the Notice Paper of the Treasurer. On four previous occasions I have asked you to write to him to ask him to provide an answer. Can you assure the Treasurer that it is not a trick question — it is quite straightforward — and could I have an answer please?

Mr SPEAKER — I will follow up the matter as the standing orders provide.

Questions on Notice
Mr HORNE (3.34 p.m.) — Mr Speaker, on 6 September I put a question to the Prime Minister on notice. As it is relevant to defence and particularly to the airborne early warning aircraft — that is of particular importance to the electorate of Paterson — I ask that you write to him and seek an answer.

Mr SPEAKER — I will follow up the matter raised by the member for Paterson as the standing orders provide.

Member for Parramatta: Points of Order
Mr KERR (3.34 p.m.) — Mr Speaker, I have a question of you. I wonder whether you could consult the parliamentary records because, to the best of my knowledge, today was the first time on which a point of order by the honourable member for Parramatta was at least partially successful.

Mr SPEAKER — The member for Denison will resume his seat. The member for Denison does not have the call.

PETITIONS
The Clerk — Petitions have been lodged for presentation as follows and copies will be referred to the appropriate ministers:

Australian Broadcasting Corporation: Independence and Funding
To the Honourable the President and Members of the Senate in Parliament assembled:
The petition of the undersigned shows:
(1) our strong support for our independent national public broadcaster, the Australian Broadcasting Corporation;
(2) our concern at the sustained political and financial pressure that the Howard Government has placed on the Australian Broadcasting Corporation (ABC), including:
   (a) the 1996 and 1997 Budget cuts which reduced funding to the ABC by $66 million per year; and
   (b) its failure to fund the ABC’s transition to digital broadcasting;
(3) our concern about recent decisions made by the ABC Board and senior management, including the Managing Director Jonathan Shier, which we believe may undermine the independence and high standards of the ABC including:
   (a) the cut to funding for News and Current Affairs;
   (b) the reduction of the ABC’s in-house production capacity;
   (c) the closure of the ABC TV Science Unit;
   (d) the circumstances in which the decision was made not to renew the contract of Media Watch presenter Mr Paul Barry; and
   (e) consideration of the Bales Report, which recommended the extension of the ABC’s commercial activities in ways that may be inconsistent with the ABC Act and the Charter;

Your petitioners ask that the Senate should:
(1) protect the independence of the ABC;
Fuel Prices

To the Honourable the Speaker and Members of the House of Representatives assembled in the Parliament of Australia.

The petition of certain citizens of Australia draws to the attention of the House the extremely high price of petrol and other fuels and the increase in the amount of tax on fuel due to:

The Government’s failure to keep its promise that the price of petrol and other fuels would not rise as a result of the new tax system, by reducing the excise by the full amount of the GST;

The charging of the GST on the fuel excise, making it a tax-on-a-tax.

Your petitioners therefore ask the House to:

Rescind the indexed rise in the price of fuel, which took effect on February 1, 2001;

Hold the Government to its promise that its policies would not increase the price of petrol and other fuel;

Support a full Senate inquiry into the taxation and pricing of petrol;

Consider the best way to return the fuel tax windfall to Australian motorists.

by Mr Bevis (from 89 citizens).
Health: General Practitioners and Medicare

To the Honourable the Speaker and Members of the House of Representatives assembled in Parliament.

The petition of certain citizens of Australia draws to the attention of the House the need for more general practitioners in their residential area to replace those lost through retirement or relocation.

Your petitioners therefore ask the House to support their petition through the following measures:

The release of more provider numbers for general practitioners;
Increase the Medicare payment rebates and bulk billing fees in line with inflation.

by Ms Hoare (from 15 citizens) and Ms Plibersek (from 25 citizens).

Asylum Seekers: Work Rights

To the Honourable the Speaker and Members of the House of Representatives in Parliament assembled:

Whereas the 1998 Synod of the Anglican Diocese of Melbourne carried without dissent the following Motion:

That this Synod regrets the Government’s adoption of procedures for certain people seeking political asylum in Australia which exclude them from all public income support while withholding permission to work, thereby creating a group of beggars dependent on the Churches and charities for food and the necessities of life;

and calls upon the Federal government to review such procedures immediately and remove all practices which are manifestly inhumane and in some cases in contravention of our national obligations as a signatory of the UN Covenant on Civil and Political Rights.

We, therefore, the individual, undersigned Members of the Elsternwick Baptist Church, Elsternwick, Victoria 3185, petition the House of Representatives in support of the abovementioned motion.

by Mr Danby (from 5 citizens).

Medicare: Belmont Office

To the Honourable Speaker and Members of the House of Representatives assembled in Parliament.

We the undersigned request that the government reopen Belmont Medicare Office as there is no Medicare office between Charlestown and Lake Haven and there has been a drastic decline in the numbers of general practitioners bulkbilling.

The closure of Belmont Medicare Office has caused great hardship to many local residents particularly the elderly and those with young children.

Your petitioners request that the House of Representatives do everything in their power to ensure that Belmont Medicare Office is reopened as a matter of urgency.

by Ms Hall (from 48 citizens).

Centrelink: Job Cuts

To the Honourable Speaker and Members of the House of Representatives assembled in Parliament.

The Petition of the undersigned shows we are opposed to the Government’s funding cuts to Centrelink, which will mean the loss of 5,000 Centrelink jobs.

This staff cut will mean increased waiting times, reduced access and reduced service levels for clients.

It will place more stress on an already understaffed and underfunded service.

It is an attack on our right to an efficient and accessible social security system.

Your petitioners request that the House of Representatives should stop the Centrelink staff cuts.

by Ms Hall (from 89 citizens).

Kirkpatrick, Private John Simpson

To the Honourable Speaker and Members of Parliament of the House of Representatives assembled in Parliament.

We the undersigned request that John Simpson Kirkpatrick, of Simpson and the donkey fame, be awarded a Victoria Cross of Australia.

Under the Imperial Award system, the award of the Victoria Cross was denied to ‘Simpson’ as the result of an error in the original application. A second application, in 1967, was also denied as the British Government claimed a dangerous precedent would be set, in spite of such a precedent already existing.

Your petitioners request that the House of Representatives do everything in their power to ensure the appropriate recognition of John Simpson Kirkpatrick.

by Ms Hall (from 39 citizens).
Food Labelling
To the Honourable the Speaker and Members of the House of Representatives assembled in Parliament.

The undersigned citizens and residents of Australia call on you to:
Label all Genetically Engineered foods that may be approved for sale;
Ensure pies contain meat and jam contains fruit;
Make food labels reflect the true nature of the contents;
Ensure that the Australia New Zealand Food Authority (ANZFA)—the food safety watchdog—is adequately resourced to protect our food.

And your petitioners, as in duty bound, will ever pray.

by Ms Hall (from 40 citizens).

Telstra: Privatisation
To the Honourable Speaker and Members of the House of Representatives assembled in Parliament.

These petitioners of the Division of Shortland and adjoining areas are deeply concerned at any plans to further privatise Telstra.

Further privatisation of Telstra will result in the loss of thousands more Telstra jobs, worsening services to regional and rural Australia, and the loss of up to $1 billion a year for all Australians earned from Telstra profits.

We believe these profits, both now and in the future, should be set aside to secure improved educational opportunities for our children, increased research and development funds for our scientists and doctors, and more money for rural and regional Australia.

Your petitioners therefore respectfully request that the House reject any further sale of the Commonwealth’s shares in Telstra and that the annual profits from Telstra be used for the benefit of all Australians.

by Ms Hall (from 74 citizens).

Goods and Services Tax: Pensioner Bonus and Pension Increase
To the Honourable Speaker and Members of the House of Representatives assembled in Parliament.

The petition of certain electors of Australia draws the attention of the House to the unfairness and inadequacy of the GST compensation for elderly Australians, in particular:

the unfair rules of the Aged Persons Savings Bonus scheme which has failed to deliver on the Government’s election promise of $1,000 for each aged person over 60;
the misleading claim of a four per cent pension increase when in fact it is only a two per cent increase after taking into account Mr Howard’s two per cent clawback;
the complete inadequacy of both the bonuses and pension increase to compensate for the double taxation of Australia’s retirees.

Your petitioners condemn the Government’s contempt for older Australians and request the Parliament explore ways in which the GST can be made fairer and simpler and compensation improved to protect the living standards of elderly Australians.

by Ms Hall (from 38 citizens).

Health: Bulk-Billing
To the Honourable the Speaker and Members of the House of Representatives assembled in Parliament.

We the undersigned request that the Government take action to preserve bulkbilling and to strengthen the Medicare system.

The cessation of bulkbilling by many general practitioners as a direct result of government policy has caused great hardship to many local residents on low incomes particularly the elderly and those with young children.

Your petitioners request that the House of Representatives introduce legislation to ensure that bulkbilling is preserved and that our Medicare system is strengthened.

by Ms Hall (from 161 citizens).

Roads: F3 Freeway
To the Honourable the Speaker and Members of the House of Representatives assembled in Parliament:

The petition of certain citizens of Australia draws the attention of the House:

The continuing traffic congestion, extensive delays and accidents which occur regularly on the F3 Freeway, particularly between the Hawkesbury River and the Gosford interchange, resulting in excessive transport costs, loss of productivity and driver frustration.

Your petitioners therefore request the House to demand both the Commonwealth and the NSW State Government take immediate action to widen the F3 Freeway.
by Mr Lloyd (from 521 citizens).

**HMAS Hawkesbury: Medical Treatment**
To the Honourable the Speaker and Members of the House of Representatives assembled in the Parliament:
The petition of certain citizens of Australia draws the attention of the House to:
(1) the plight of sailors who served aboard the HMAS *Hawkesbury* during the Atomic testing at Monte Bello in the 1950s;
(2) the cases of leukemia diagnosed in ex-*Hawkesbury* sailors arising out of this service;
(3) the fact that some of these sailors have been refused ‘veteran’ status and therefore associated medical coverage for their conditions.
Your petitioners therefore ask the House to:
(1) review the status of the *Hawkesbury* sailors with the view to grant them ‘veteran’ status;
(2) enact appropriate legislation to ensure that all of these service men and women receive the medical treatment they need resulting from their service to their country.

by Mr Mossfield (from 782 citizens).

**Van Oostveen, Mr William: Compensation**
To the Honourable the Speaker and Members of the House of Representatives assembled in Parliament.
The petition of certain citizens of Australia draws to the attention of the House the treatment of Mr William Van Oostveen of Bundaberg in Queensland.
Mr Van Oostveen, having followed all known practices of request and exhausted all avenues of appeal, petitions that he has been unable to obtain satisfaction to requests to obtain copies of file covers applicable to his compensation case and copies of payslips during the period 9 November 1989 to 30 November 2000.
We therefore call on the House to take note of the grievance of Mr Van Oostveen and take whatever action is necessary to ensure he receives proper and just treatment within the process of the administration of the Australian Government.

by Mr Neville (from 8 citizens).

**Telecommunications Towers**
To the Honourable the Speaker and members of the House of Representatives assembled in Parliament.
This petition of certain citizens of Australia draws to the attention of the House that current legislation is insufficient to protect the health of the people of Australia from the dangers of microwave radiation emitting from mobile phone telecommunication towers.
Your petitioners therefore request that the House amend current legislation to:
Safeguard the people of Australia against health threatening electromagnetic non-ionising radiation emitting from mobile phone telecommunication towers and installations, by restricting the siting of these facilities to zones of no less than 800m from residential areas.
Stop the location siting of mobile phone telecommunication towers and installations, including co-location and multiple siting areas close to residential areas (i.e. homes, schools, hospitals, aged care centres and other such facilities), until major research identifies conclusively a safe distance for each tower or installation to be located;
Implement immediately a major medical and technological research program, by recognised and independent organisations, into the potential adverse health effects of this radiation.

by Mr Sciacca (from 37 citizens).

**Pharmaceutical Benefits Scheme: Nasal Sprays**
To the Honourable the Speaker and Members of the House of Representatives assembled in Parliament:
This petition of certain residents in Perth in the state of Western Australia draws to the attention of the House their view that the Pharmaceutical Benefit Scheme should include nasal sprays and be available to all Australians on the basis of need, not on a person’s capacity to pay.
Nasal sprays provide relief to people unfortunate enough to suffer with asthma and other respiratory conditions. Their removal from the Pharmaceutical Benefit Scheme will impose undue financial hardship on people on limited incomes and may ultimately result in detrimental effects on their general health and well being.
We believe the responsibility of the Australian Government is to all its citizens.
Your petitioners therefore request the House note that those petitioners whose signatures appear below call on the Government to take immediate action to reinstate nasal sprays on the Pharmaceutical Benefit Scheme.
by Mr Stephen Smith (from 274 citizens).

Bankstown Airport: Proposed Expansion
To the Honourable the Speaker and Members of the House of Representatives of Australia.
The petition of the residents of Chipping Norton and its environs brings to the attention of the House our desperate concern regarding the proposed expansion of Bankstown Airport.
The noise, traffic and pollution generated by such an expansion will not only be catastrophic to the residents, it will devastate the quality of our lives as well as the value of our properties.
The residents of Chipping Norton considers it vital that an Environmental Impact Study (EIS) be undertaken regarding any proposal to upgrade Bankstown Airport.
The undersigned petitioners request therefore that the House not proceed with the proposal to expand Bankstown Airport to permit regional aircraft and/or 737 jet aircraft from operating in and out of that facility.
Your petitioners humbly pray that your Honourable House take action to stop the expansion of Bankstown Airport.

by Mrs Vale (from 483 citizens).

Petitions received.

PRIVATE MEMBERS BUSINESS
Renewable Energy Resources
Mrs DE-ANNE KELLY (Dawson) (3.38 p.m.)—I move:
That this House:
(1) notes the Coalition Government’s commitment to renewable energy;
(2) notes the quality production of ethanol in Australia;
(3) notes the use of ethanol as a blend with motor spirit and the advantages this offers in terms of:
   (a) competitive cost of production;
   (b) opportunities for development;
   (c) environmental benefits;
   (d) motoring efficiency; and
   (e) import replacement;
(4) notes the use of ethanol blends in other countries; and
(5) urges the Government to continue its support for development of renewable energy resources and trusts that the use and production of ethanol will continue to be progressed.

This motion relates to the government’s support for renewable energy. In fact, there could be no better example of that than the Minister for Agriculture, Fisheries and Forestry today announcing to the House in response to a question from me that the Commonwealth’s Greenhouse Gas Abatement Program will be funding $8.8 million towards an ethanol based fuel distribution system in Brisbane to service the Queensland east coast market.

Can I talk about ethanol, which was raised at a seminar that the Sugar Industry Task Force had in Parliament House on 1 June of last year. There were a number of submissions made to that task force and to the seminar on that day: from Manildra, CSR, the Biofuels Association, the University of Queensland, the cane growers, the Mossman mill and many others. I would like to draw the House’s attention to the state of the industry. It is a very healthy industry in Australia. Total annual production is around 110 million litres, produced from Manildra in the seat of Gilmore by a distillery process from starch; 50 million litres from CSR, produced from molasses as a by-product of sugarcane milling; in my electorate, 55 million litres; and from Rocky Point, outside Bundaberg, again produced from molasses, five million litres. It is my understanding that Manildra have planned expansion to 100 million litres and Rocky Point have planned a future expansion to nine million litres.

Annually the Australian domestic market consumes around 42 million litres, and we have an export market in the order of 35 million litres. It is a very healthy industry. The cost of supply of ethanol into the fuel markets in major capital cities is estimated by the Australian Biofuels Association to be in the order of 69c to 70c per litre. I would like to quote the Australian Biofuels Association’s submission as follows:

Over the next three to five years, significant reductions in the cost of producing ethanol are anticipated due to technology advances and innovation in the existing industry and through the demonstration and commercialisation of new cellulose-to-ethanol technologies. Significant progress has already been made. In 1995, the Government
estimated the cost of delivering ethanol fuel to major city markets was 82 cents a litre. Today it is 69c to 70c a litre. This is similar to cost trends in the United States, Canada and Brazil.

But the good news about ethanol certainly does not end there. The benefits of an ethanol blended fuel are many. Based on the latest available research—the APACE Research report—the following conclusions have been drawn. It is estimated that the 1999 passenger vehicle fleet comprises approximately 25 per cent pre-1986 vehicles using leaded petrol and 75 per cent 1986-on vehicles using unleaded petrol. The results of the project that was undertaken for the 1999 fleet composition show that, when compared to use of neat petrol, use of a 10 per cent ethanol-petrol blend has the following effects—and this is on regulated exhaust emissions: a 10 per cent blend reduces carbon monoxide by approximately 32 per cent. THC decreases by approximately 12 per cent and noxious particulates by approximately one per cent.

In the United States, ethanol is widely supported. More than 10 per cent of all gasoline contains ethanol, and fuel with 10 per cent ethanol has been certified by the Environmental Protection Agency to reduce carbon monoxide emissions by up to 30 per cent. Since 1981 more than 152 billion gallons of ethanol blends have been used in the USA. It is estimated that vehicles have travelled in excess of three trillion miles on blended fuel since then in the United States. Ethanol blended petrol has been shown to improve engine efficiency and, according to the American Institute of Chemical Engineers, using ethanol was ‘very similar in driving characteristics to straight gasoline, except that pre-ignition and dieseling run on are noticeably reduced and acceleration can be improved’ with ethanol. So it is a wonderful initiative for the federal government to have acted on and taken up.

I would like to talk about ethanol blends for a while. Ethanol is a high octane hydrocarbon produced from the fermentation of sugar or converted starch. We produce it at Sarina, just south of Mackay, in my electorate and, ironically, ours is the second most advanced distillery in the world beyond one in Turkey. In fact, it produces such a pure blend, such a pure ethanol, that it is exported to Japan to be made into sake. So you really cannot get much higher in the ethanol world than being used by the Japanese to make sake.

Ethanol is a clear, colourless flammable oxygenated hydrocarbon with the chemical formula \( \text{C}_2\text{H}_5\text{O} \)—for those of us who remember our secondary school chemistry. It is also commonly known as alcohol and, as we have seen, is used in sake. Ethanol is blended normally at five per cent or 10 per cent concentrations, termed E5 or E10 respectively. But it has been used in concentrations of up to 24 per cent, E24, and up to 85 per cent, E85, in some countries. As I said before, ethanol blended with petrol serves as an oxygenator, enhancer and extender. In fact, in Brazil many of the vehicles run on 100 per cent ethanol.

How much sugarcane does it take to make ethanol? A five per cent blend of ethanol in all the fuel, including diesel, used for road transportation in Queensland alone would consume 16 per cent of the entire Queensland sugarcane crop. To supply all of Australia’s fuel needs, a five per cent blend would consume all, bar four per cent, of the entire Queensland sugar crop. It is obviously a wonderful way of working for the environment, reducing greenhouse gas emissions, ensuring that our farmers are able to play a meaningful role in renewable energy and lowering prices for our motorists—or at least keeping the major oil companies honest. It is a meaningful alternative to using either domestically refined fuels or imported fuels.

Ethanol is produced not only from sugar cane but by distilling anything with a high starch content, such as corn or cassava. It can even be made from municipal solid waste or old newspapers. So there is a wonderful opportunity to use waste products from sugar milling operations, the wheat industry or even city council municipalities. A number of countries use ethanol. Brazil, as I have mentioned, typically uses 24 per cent, but sometimes up to 100 per cent, and has pro-
duced 16 billion litres per annum on a regular basis. Canada uses ethanol and Europe produces ethanol as well.

I am delighted that the federal government, through the Greenhouse Office and through its $8.8 million grant, has seen fit to promote and support the blending of ethanol with fuels for the east coast of Queensland. I know my colleague the member for Gilmore will speak more about this. She is also a great supporter of ethanol as an alternative energy. I leave the House with this.

Mrs Gash—I second the motion and reserve my right to speak.

Mr HORNE (Paterson) (3.49 p.m.)—I was very interested to see this motion and I am quite delighted to speak to it. One of the things that interests and concerns me is that the member for Dawson says that the government should be congratulated. The member is probably unaware that in 1996, when this government came to power, there was a 16c a litre bounty payable to anyone who wanted to invest in and generate new ethanol. At its very first budget, the Howard-Costello-Fischer government wiped that bounty. At its very first budget, the Howard-Costello-Fischer government wiped that bounty.

Mr O'Connor—They axed it.

Mr HORNE—They got rid of it. So, if the member wants to come in here and tell us how good the government have been, let me remind her that when I first came to Canberra in 1993 the ACTION buses of Canberra were using a 90 per cent-10 per cent diesel-ethanol blend, diesahol, because it is an Australian company, APACE Research, that holds the worldwide patents for making diesahol. A 90 per cent-10 per cent blend requires no modification of the standard diesel motor but produces enormous benefits as far as pollution is concerned. In New South Wales the petroleum company Bogas has been using a 90 per cent-10 per cent blend for at least the past five years.

So, if the members opposite want to give the government a pat on the back, at the same time be honest enough to say, ‘Isn’t it a shame that in 1996 we axed a major incentive that, if it had continued, would have seen a major ethanol industry in Australia today?’ We would see that, but you got rid of the incentive to encourage industry to proceed. The major argument was that the price of petroleum at that time did not support the development of the ethanol industry. It is very easy to look back and ignore the facts as they appeared at the time but, if only someone in the government had had the vision to maintain that 16c a litre, I believe we would be much like the United States, because at the same time as we were axing it the ethanol industry in United States was growing at an enormous rate. Why was it growing? Because scientists in United States, just like scientists in Australia, recognised that by blending petrol with ethanol you received major environmental advantages.

This is what happened in the Midwest corn belt. The United States government passed legislation forcing oil companies to have a blend. Why? Because ethanol is an oxygenator—it encourages the complete burning of petroleum in a motor. So it reduces the gaseous emissions and the photochemical smogs that are traditional with temperature inversions in those areas. It has cleaned up vast areas of the United States. The United States government did what this government was not prepared to do and legislated to compel, particularly in certain areas, that ethanol be used as an oxygenator. That has seen the United States growing corn purely to get the starch from it, to ferment it and produce the ethanol by distillation.

Ethanol has enormous potential. We are producing it from starch residues that come from the Manildra plant down at the Shoalhaven. We are producing it as a by-product from the production of sugar and also molasses. We ferment them and we can distil it from the fermented materials. In Australia we should be looking at a process of producing it by ligno-cellulosics. That is producing ethanol from cellulose. In 1992 an Australian scientist, Dr Russell Reeves, was very influential with the then Minister for Industry, Science and Technology, Alan Griffiths, and a $2 million grant was made available to industry. I believe that grant is still there—it has never been used. It required industry to match the grant dollar for dollar
to set up a trial plant to produce ethanol from cellulose.

Admittedly, over recent years it would probably have been cost ineffective to have produced ethanol as a fuel simply by growing sugar, taking the sucrose out of it and fermenting it. I know it is done in Brazil, where the sugar crop is vast. I do not believe that you can buy straight petrol in Brazil. I believe you can buy only petrol-ethanol or diesel-ethanol blends or that, as the member said, some cars run on 100 per cent ethanol. There is no reason why we could not be doing the same. But the stock material could be much cheaper than either the sucrose or the starch. It could be from forest waste or it could be from municipal waste—a lot of cellulose goes into that—because cellulose will also ferment and produce ethanol.

It is a tragedy, when we look back over the past five years of this government, that it did not have the vision, it did not look down the path, to say that one day Australia will not be self-sufficient in its hydrocarbon fuel supplies and that one day we will have to develop an industry to generate our own liquid fuels. We can talk about electricity as an energy source, but let us face it: people want to be able to take their car into a service station and fill up with a liquid energy—and that is what ethanol offers. It is also a tragedy in that Australia has the scientist, Dr Russell Reeves, who is one of the principals of APACE Research. One of the reasons that I am aware of ethanol is that he lives in my electorate and I talk with him regularly. I know how disappointed he has been as we have watched the price of crude oil escalate to its current level. We can now sit back and say, ‘What an opportunity has gone missing. We should have that ethanol industry.’

I support what happened in Brisbane over the weekend. I support that because it is the logical way to go. The shame of it is that it should have happened much earlier. I believe that the Labor Party, back in 1995, when David Beddall put that 16c a litre bounty on the generation of new ethanol, had the forward policy to allow a new energy industry to develop. Unfortunately, because of the determination of the current Treasurer to balance the books and to take money out of industry research and development, we saw that much-needed impetus to develop that industry removed.

I am quite happy for this to be bipartisan—I am sorry that it was not introduced into the House that way—because it is only by being bipartisan that we will develop a much needed new energy system. Everyone knows that one day out there the latest oil well to be dug will not generate any oil. Unfortunately, we are being controlled by oil cartels. I am aware of the ERDC and how much it worked against the establishment of an ethanol industry in the early nineties. I am aware that oil companies are coming on board now only because they know, as the member for Dawson said, that they can go out and buy a litre of ethanol cheaper than they can buy a litre of petrol or a litre of diesel and that they can blend it. What I want to know is: will they pass on the savings to Australian consumers? No, and that is part of the problem we have. I think that as late as last year Serena ethanol was selling for about 30c a litre. I may be wrong, but I think that was the situation. If you can blend it straight into unleaded petrol and you do not have to modify the motor at all, that is a saving that should be passed on to motorists. I would like to see the whole of parliament work towards that. Be aware that this argument has been going on for a number of years and it is only now that the high price of crude oil is forcing the oil companies to sit up and take notice. (Time expired)

Mrs GASH (Gilmore) (3.59 p.m.)—I am very anxious to speak to this motion, as it is a topic that affects every Australian citizen—but, even more, it affects those in Gilmore and certainly those in the area of my colleague the member for Dawson as both of us have very large ethanol plants in our electorates. As it is some distance from the capital cities, Gilmore certainly experiences high petrol prices—up to 10c more, in fact—and they seem to fluctuate in defiance of what I know to be happening on the world scene. In other words, Gilmore, like many other places, is at the mercy of greedy oil compa-
nies that manipulate the markets to suit their pockets or for other, more political motives.

For instance, it was interesting that, on the same day that the new tax system was introduced, all petrol discounting stopped right across Australia, so the price of petrol went up and everyone blamed it on the GST. The oil companies laughed all the way to the bank, but they also really muscled the current government with that trick. You have to wonder why they did it. Of course there was the profit motive, but I think that there was a bigger agenda here. It is my belief that we are starting to have an impact on the oil companies and their collusion to keep prices the way they want them. Through our competition strategies and through investigations by the ACCC, I think we are finally making their lives more difficult, and they do not like it. In fact, I would take their actions against us as a bit of a backhanded compliment, because they are reacting against our extra pressure. No doubt they think that with this extra pressure their lives might be easier under Labor, who traditionally give in.

Along with other actions on the petrol front, this government has been supporting the development and commercialisation of alternative fuels and propulsion methods. In Gilmore, the Manildra Group has established an ethanol plant to make better use of the waste products from its starch and glucose processing. Three years ago the federal government granted $1 million to Manildra in Bomaderry to further develop this ethanol plant. That was more than the bounty fee, and we also got rid of the excise tax. As usual, Manildra—a firm with a reputation for constant research and improvement of processing—took the lead and undertook major work on refining ethanol. It is apparently an easy thing to distil this alcohol to about 95 per cent purity, with the other five per cent being mainly water. But, as we know, cars do not like water in their engines as it will neither compress nor ignite in the cylinder, so the important work was to eradicate the five per cent water from the alcohol. This motion highlights the advantages that ethanol offers in terms of the competitive costs of production. Manildra have now invented ways to do this efficiently and without waste, and the federal government last year gave them another $1 million grant to commercialise their invention.

Why are we interested in ethanol and what is the environmental benefit and motoring efficiency to be gained? As you have heard, you can put 10 per cent ethanol into your petrol tank or 20 per cent into your diesel tank and drive your car without any modifications at all. What happens is that the ethanol leads to a higher temperature burn of the fuel in the engine, which reduces the greenhouse gas emissions by about 25 per cent—something we tend to forget. So, in this small way, by using ethanol produced by Manildra at Bomaderry in my electorate of Gilmore, we could reduce by 25 per cent the emission of gases that are harmful to our environment in the whole of New South Wales. People might be jumping up and saying, ‘You beauty! I want some of that ethanol—where can I get it?’ The answer is that at the moment ethanol is very difficult to get. Only some small independent fuel wholesalers and retailers are offering this fuel and ethanol mix, and they are under constant pressure from the big fuel companies. ‘Why isn’t it more widely available?’ I hear you asking. The answer is: because the major oil companies do not control it, do not own it and therefore will not let it on their sites.

I will be fully supporting this government in its efforts towards the development of renewable energy technology. In the electorate of Gilmore, the Solar Sailor project also received $1 million in development funds. Not only does this provide further innovation and research for Gilmore and the area, it provides a positive benefit in our efforts to redeem the cost of fuel and to eliminate our dependence on the overseas countries that are holding the country to ransom. I fully support the motion and applaud the government’s commitment to renewable energy. Hopefully, the government will go one step further and look at the mandatory use of proven renewable sources of energy for the Australian people, both for financial reasons and for their proven benefits to the environment. I will be fully supporting this government’s commitment to
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developing alternative energy resources such as ethanol.

Ms HALL (Shortland) (4.03 p.m.)—I find it most heartening to hear members on the other side of this parliament, members of the government, making a commitment to renewable energy. Unfortunately, the record of this government’s commitment and actions in relation to renewable energy has been disappointing, and the ethanol industry in Australia has been the victim of this lack of commitment. In the Howard government’s first budget in 1996, it axed the three-year $25 million ethanol bounty scheme—a scheme that was designed to allow and to increase research into the ethanol industry. There was still $21 million of that bounty scheme unclaimed. The axing of this scheme really shows you the commitment of the government to the ethanol industry in Australia. I read what the minister was quoted as saying in the Canberra Times today:

Mr Truss said the ethanol blend fuel had wide-ranging advantages including reducing greenhouse-gas emissions by 1.1 million tonnes over five years, cutting dependency on fossil fuels and helping rural communities.

I ask: if this is what the ethanol industry can do for Australia, why has it taken the government so long to make any sort of commitment to the industry? The actions of this government have in fact endangered the Australian ethanol industry. The Fuel Ethanol Association of Australia wanted to set up a network of ethanol plants throughout Australia; that would have created about 322 jobs at each of these plants and would have put $39 million into Australia’s regional economies. The Howard government has put at risk this industry—an industry of the future, because without renewable energy we, as a country, will be left behind. As the member for Paterson said, one day when you sink that oil well there will be nothing there.

The competitive costs associated with the ethanol industry are 80c per litre now, but in 1997 they were 70c and they were expected to go down to 50c. The procrastination of this government has led to an increase in the cost of production and has set the industry back a number of years. There are substantial opportunities for the ethanol industry to expand in Australia with waste biomass from agriculture, especially from sugar cane, and we have heard a little bit already about the Manildra plant that is operating in Australia. The environmental benefits are enormous. There are countries already using ethanol, such as Brazil, which is using 16 to 17 billion litres a year, and the US, which is using 7 billion litres.

The government abolished the bounty scheme and replaced it with grants that come to about $10 million. The Howard government abolished the scheme that invested $25 million in the development of the Australian ethanol industry and replaced it with a paltry $10 million worth of grants from the Australian Greenhouse Office. This is a deficit of $15 million. If reducing the investment in the Australian ethanol industry by $15 million is supposed to be a commitment, I would hate to see what the Howard government would do to an industry it had no commitment to.

(Time expired)

Mr DEPUTY SPEAKER—Order! The time allotted for the debate has expired. The debate is adjourned and the resumption of the debate will be made an order of the day for the next sitting.

Telstra: Privatisation

Mr SERCOMBE (Maribyrnong) (4.08 p.m.)—I move:

That, in the light of the strong views of many Australians, and particularly those in provincial and rural areas, the House calls on the Government to:

(1) clearly indicate that it will not proceed with the further privatisation of Telstra; and

(2) remove the proceeds of further privatisation from its Forward Estimates.

Telstra is very much at the core of essential services in relation to information and communications as we move into the 21st century. In much the same way that perhaps in the 19th century railways and investment in railway infrastructure were seen as critical for the economic and social development of Australia, information and communication services are critical for that economic and social development in this new century. We
all ought to be aware that without an active role for the public sector in relation to the development of communications and information services and leaving it totally to market forces means that significant inequities are inevitably going to arise in the way in which these services are provided. People are simply going to be left out. The people who almost intuitively are most conscious of the fact that they will be left out without Telstra having at least some active involvement from government in its ownership are people in provincial and rural Australia, and I might also say, Mr Deputy Speaker Jenkins, in electorates like yours and mine in the outer suburbs of major cities. They are the people who instinctively understand that Telstra ought to remain in majority government ownership. For the same reasons as during Australia’s development in the 19th century railways were essentially in government ownership, the core providers of telecommunications and information services in this century ought also to be in government ownership.

Recent evidence of the vital role Telstra plays in this regard was given in the Financial Review of 14 February in an article headed ‘All or nothing: Alston puts the sale sign on Telstra’. Among other things, this article talks about Telstra emerging as the preferred tenderer to provide untimed local calls to remote areas of Australia. The article says that seven telcos expressed interest in one $150 million contract to improve communication services to about 36,000 households which pay long-distance rates even for short distances, but they either withdrew from the contract tendering process or were defeated by the national carrier. So there is a quite up-to-date example of the importance of the role that Telstra plays.

Some might have argued in relation to the airlines a few years ago that there was a need for further private sector injection of capital. That situation does not exist with Telstra. Last month, Telstra announced a $2.6 billion record half-yearly profit, with a $515 million half-yearly dividend cheque going to the federal government from its 51 per cent stake in this enterprise. In these circumstances, one can hardly say that this is an organisation that needs an injection of private sector funds. On the contrary, it is really underpinning the underlying Commonwealth budget surplus that the Treasurer talks about from time to time. It really makes no sense, other than as an ideological crusade on behalf of the federal government, to talk about the privatisation of this extraordinarily successful national institution. In a recent article in the October 2000 CEDA Bulletin, the journal of the Committee for the Economic Development of Australia, the chief executive of Telstra, Dr Switkowski, talked in glowing terms about the future. He said that Telstra had made a successful transition to a new era with major investments in creating a customer services culture. He indicated that the company can demonstrate that it can afford the capital investment required to ensure it will be successful in the game in five years time. This is a most successful Australian company and one struggles to understand the ideological obsession of the government in wanting to flog off the remaining 50 per cent of it and in the process undermine its budget surplus.

How did we get to the situation? We see fairly continual sleight of hand on the part of government. In its 1998 election platform, the coalition said:

The Coalition will legislate to provide that, until an independent inquiry certifies that Telstra’s services are adequate, there will be no further sell-down of the Government’s 51 per cent share.

Mr Hardgrave—Hear, hear!

Mr SERCOMBE—I am delighted to hear that from the government benches, because the reality is a little different, as I will demonstrate.

Mr Bruce Scott—What about Qantas and Australian Airlines?

Mr SERCOMBE—I have talked about the airlines. This position was reinforced when the Besley inquiry was announced. It is interesting that we are getting an interjection from a National Party minister. It is particularly instructive that no member of the National Party is taking part in this debate.
We see the commencement of the watering-down of the government’s approach when the Deputy Prime Minister, in a media release of 12 October 2000, talked about legislation to sell more of Telstra not being introduced until the plan to address these issues has been put in place. We begin to see a slipping and a sliding, a few semantic games, a few verbal sleights of hand, because we had the Deputy Prime Minister in October last year beginning to redefine this matter of legislation and certifying standards. The government said in October last year that legislation would be introduced when they have a plan to address these issues, not when it is certified that the issues have been solved.

The position becomes worse, though, from the point of view of people in various parts of remote and rural Australia and outer suburban Australia when we look at a further diminution of the government’s commitment on these matters in the midyear economic and fiscal outlook statement of November 2000, where we have the following words:

The Government has committed not to introduce legislation until its plan of action in relation to the independent telecommunications service inquiry into the adequacy of service levels has been fully considered and made public.

We have moved right away from certification, which was the coalition’s policy at the election and at the time the Besley inquiry was announced, through to a situation where the Deputy Prime Minister is talking not about certification but about a plan of action being put in place to address these problems right through to a situation where we do not even need that any more, to a situation where we just have to have full consideration and make public the issues. We are seeing a continuous process of diminution of even the commitments that the government made at the election.

The Prime Minister was asked just the other week, in relation to the midyear economic and fiscal outlook, what this represented, and he said that the forward estimates are prepared on the basis of government policy. Government policy, therefore, as reflected in the outlook statement, no longer requires certification; it really requires only that the adequacy of service levels has been fully considered and made public. What we have, therefore, as I said, is a continual sleight of hand. We had the Treasurer trying to obscure the issue only as recently as last week in answers to questions about the impact on the forward estimates of the Telstra sale.

The Treasurer keeps talking about the underlying cash balances reflected in the midyear economic and fiscal outlook as not including Telstra and, indeed, that is correct. But when one compares the underlying cash balances indicated in the outlook statement with the headline cash balance, there is a gap over the four years out from here to the 2003-04 financial year of the relatively small sum of only $37.3 billion—that is, $37.3 billion is factored into the government’s forward estimates, as reflected in the November 2000 Mid Year Economic and Fiscal Outlook statement and, overwhelmingly, that represents the proceeds of the sale of Telstra. Even on the most generous estimates of what the government might derive from the sale of Sydney airport and some other relatively minor privatisations, they are not going to get to $37.3 billion. So, despite all the obfuscation of the Treasurer and the claims that the Telstra sale is not represented in the underlying cash balance of the forward estimates, the reality is that there is $34.3 billion built in over the next four years, the overwhelming majority of which can come only from the sale of Telstra.

Against that background of the deceit that is being perpetrated by the government, it seems to me that the simplest thing for the National Party, in particular, to do—if they had any guts and any concern about representing their constituency—would be to demand that the government remove the proceeds of that sale from the forward estimates. They are clearly there. That would in fact lend credibility to the original coalition statements that they were not going to proceed until such time as certification of standards was achieved. But the reality at the moment is that we are dealing with a lot of ballyhoo, particularly from the National
Party. It is built into the budget. Let them take it out if they are fair dinkum. (Time expired)

Mr DEPUTY SPEAKER (Mr Jenkins)—Is the motion seconded?

Mr Horne—I second the motion and reserve my right to speak.

Mr HARDGRAVE (Moreton) (4.18 p.m.)—I am delighted to rise to speak on this particular proposition. The member for Maribyrnong was set up, I thought at first, by the telecommunications union, because it is their once a quarter day where they put this proposition forward. But now I find out that he has been set up by the bloke who sits behind him, the member for Watson, Leo McLeay, the man in the Labor Party in charge of dumbing down any proposition to a point where no-one can tell right from wrong. It is indeed very sad that the poor member for Maribyrnong has been brought forward on this proposition today. Let me quote clearly what the Treasurer said to the parliament last week and it is important that the member for Maribyrnong and others who may contribute to this debate understand this:

This government does not report the proceeds of asset sales as revenues, it does not report them as negative outlays, it does not report them in its cash balance, it does not report them in its fiscal balance and, what is more, it uses them to build assets and retire Labor’s debt.

The Treasurer of Australia said that last week in response to questions from both the opposition and the government on this very issue. Of course the thing that needs to be fully understood is that everything this government has done as far as the sale of assets is concerned since they came to power is to retire Labor’s debt.

The main proposition put by the member for Maribyrnong is to do with the concept of selling off something that belongs to everybody, like debt in this country as far as government assets are concerned, until the service question, particularly to rural and regional Australia, is well established. In other words, we make sure that, unlike the days when the Labor Party were in power and there were two strands of copper wire going from dead tree to dead tree through vast tracts of this country, modern telecommunications facilities, high-speed access to the Internet and access to cheaper long-distance phone calls than were ever available when the Australian Labor Party were in power are in fact guaranteed and assured so that the government instrumental-ity is playing its part in the overall telecommunications market.

The main proposition put by the member for Maribyrnong is to do with the concept of selling off something that belongs to everybody, like debt in this country belongs to everybody. I believe that, in his contributions today, he left open a tremendous opportunity for all of us on this side when he talked about Telstra being a successful entity that should not be sold off. It begs the question: were the following not successful entities when the Australian Labor Party blew them up against the wall—the Defence Service Housing Corporation loans area, Australian Airlines, Qantas and the Commonwealth Bank? After going to the 1990 federal election with the bankers union outside every Liberal Party and National Party campaign office all around the country saying, ‘Don’t
vote for the coalition because they are going to privatisethe Commonwealth Bank,’ what did Labor do when it got into office in 1990? It privatised the Commonwealth Bank. I am sure the Minister for Veterans’ Affairs at the table would be able to answer this: was the Moomba to Sydney pipeline system a successful entity or was that a failure? Labor’s apparent standard is that anything that is a failure you sell off and anything that is successful you keep. What about the Commonwealth Serum Laboratories? Labor sold those shares at $2.50; they are now worth over $30. What about Aerospace Technologies of Australia and the uranium stockpile? The Australian Labor Party sold each and every one of these assets.

Mr Bruce Scott—And spent the money.

Mr HARDGRAVE—Yes, Minister, and spent the money straight away. They introduced the proceeds from each of those sales into the budget bottom line, and used them to pay today’s expenditure. It is like realising that, because you need some money to buy petrol to run the car you own, you sell the car. In other words, there is absolutely no sense in taking valuable assets and using them for today’s expenditure. For any asset that you sell you have to realise something worthwhile. In the case of Telstra, a marvellous institution that has wired so much of Australia and plugged so much of Australia into the world, you have to realise an equally substantial circumstance as a result of selling off this asset—and there can be nothing more substantial than realising the repayment of the Australian Labor Party’s debt.

The approach to these matters changed radically when we came into office. Until 1996, whenever the Labor Party sold some form of equity or some sort of asset—notwithstanding that they might be taking one asset out and buying another or whatever—they regarded that whole thing as recurrent revenue. In other words, they spent it straight away. In the privatisation of the Commonwealth Bank—the first tranche in November 1993—the Labor Party received $1.7 billion. That particular $1.7 billion was treated as revenue. They spent every last dollar—for selling off Ben Chifley’s icon—in the 1993-94 budget. They showed nothing for it. Not only that, they then ran up a budget deficit of $10 billion in the 1995-96 budget. They put Qantas out for sale and received another $1.4 billion—and spent every last dollar. They still went to the financial markets to borrow more money to put more Australians into more debt, and they created a circumstance where the debt repayment schedule, the interest rate payments, was the equivalent of the defence vote when we came into office. They were spending more money than they had; they were mortgaging my children—

Mr Bruce Scott—My grandchildren.

Mr HARDGRAVE—The minister’s grandchildren—

Mr Bruce Scott—They are not here yet.

Mr HARDGRAVE—They are not here yet, but when they arrive it would have been the case. They spent absolutely every last drip of proceeds and said that they were managing the economy well. For the Australian Labor Party to come in here and propose this—as they do, once a quarter, at the behest of the telecommunications union—and to criticise the government’s approach on realising some return on a valuable asset is the greatest hypocrisy that any political party that claims some sort of responsibility and some sort of aspiration to run this country could ever claim. The greatest hypocrisy is under the Labor Party.

We have repaid $50 billion worth of Labor Party debt. This has a direct benefit to each and every Australian because the cost of servicing that debt—the interest payments, the lost money off current expenditure—is money that should be spent on proper programs of government, not just on repaying excesses, not just on repaying money that has been borrowed at a time when they did not need to borrow. We have ensured $50 billion is now off that debt. When the time comes—when the service standards have been reached—and we believe Telstra is ready to be offered on the marketplace, I will fully support the concept of offering Telstra to the marketplace. It is a valuable
asset. It is an organisation that should realise some real returns.

I think there is something far more sinister in place here. This is very typical of most things the Labor Party contribute in public life these days. They promise all: ‘Don’t look at the details. If you have a problem, don’t worry, we’ll fix it. Don’t ask me for any examples of how, but we will do it.’ That is their style; that is how they are trying to sneak back into office. The would-be pretenders who want to be members of cabinet in a future Labor government have that particular approach. Why doesn’t the Labor Party put a policy on the table saying, ‘We’ll buy Telstra back’? Why doesn’t the Labor Party put a policy on the table that says, ‘We are going to buy back the Commonwealth Bank, the Commonwealth Serum Laboratories and Qantas’? Why don’t they say they are going to do what R.F.X. Connor tried to do in the mid-1970s that blew the budget out, via Mr Khemlani, Gough Whitlam and the Crean family’s icon—these silly approaches to borrowing money to buy back the farm? Why doesn’t the Labor Party put that policy on the table? If they were honest they would.

(Time expired)

Mr HORNE (Paterson) (4.28 p.m.)—There’s nothing quite as enlightening as a typically arrogant member of the government coming in here and standing up and telling us what we need to understand. He has the audacity to tell us what we need to understand. What I understand from the proposal before the chair is that we should not be selling the remainder of Telstra. Listening to your speech, Comrade, I did not hear one bit of that. All I heard was a lecture on debt, a lecture to a nation where household debt has doubled in the last five years. If your government is proud of that, use it in one of your advertising campaigns when you go to the election. Say to the people of Australia, ‘You owe twice as much now as when Howard and Costello started running this country in 1996,’ because that is exactly what happened.

Let us get back to Telstra. Let us get back to the service that it provides—and the service that it should provide—and to the service that it used to provide but provides no longer. As a representative of a rural and regional electorate, I am pleased to see that not a single member of the National Party considers this piece of information important enough to come into the House. Let me tell you about some of the things I find happening with Telstra’s service, and the time it takes to install a telephone—maybe the member for Eden-Monaro would like to tell us how long some of his constituents have to wait to get a telephone connected. If they have to wait as long as I do, they will be grandparents and they will be worried about the debt their grandchildren will owe before they get the phone on!

Maybe the member for Eden-Monaro would like to tell us about the loss of jobs in rural and regional areas with the partial privatisation of Telstra and the other 16,000 jobs that have to go with further privatisation. Maybe the member for Eden-Monaro will consider that that is important to his electorate. Maybe he can tell us about the level of service to consumers, to people who live in small communities and who do not have access to mobile telephones and Internet services. Maybe the member for Eden-Monaro can tell us about those things, because the last speaker certainly did not—all he wanted to talk about was debt but what he did not tell us was about how personal debt had ballooned.

I could tell you about a few things that if they were not serious you would laugh about. As I drive around the electorate of Paterson, I can see telephone cables strung along the top of fence lines. We all know what happens when there is an electric storm. Then there are the connection pits, the junction pits, that are open with loops of cable coming out. I do not blame the technicians one bit for that. Everyone knows that they are controlled by the computer in their vehicle that tells them how long they can spend on a job and how long before they have to move on to the next job. Once they connect the cable and the service is available, it is time for them to move on. They can then come back another day or someone

else can come back another day and finish it off.

Maybe I can tell you about the people who are given satellite phones that cost exorbitant amounts of money, for which Telstra foots the bill, simply because Telstra cannot connect the cable. In some areas they will wait for up to 12 months, until Telstra have enough jobs for a trench digger to come along and dig the trench so that the cable can go in. So they give everyone in the community a satellite telephone. This is the service that paid a $2.6 billion half-year return to the people who own it. That $2.6 billion works out at $5.2 billion a year and yet the Howard-Costello government have sold half of it and want to sell the other half.

The government talk about guaranteeing service. Well, let me tell you about service. This is a story that I found quite humorous. I had a public meeting in the town of Gloucester about 12 months ago and people there told me about the public telephone on Gloucester Railway Station. They said, ‘It only costs 30c a call but it doesn’t work too often.’ They said, ‘We won’t complain; we only pay three-quarters of the price of a phone call but it only works about 75 per cent of the time.’ I rang Telstra to tell them about this public phone that did not work and they said, ‘It doesn’t exist—no such telephone exists.’ They sent a technician to have a look at it and—surprise, surprise—the people of Gloucester were right; they had a telephone, and I think it has been put straight into a Telstra archive. That is the sort of service we are getting under this government—and it stinks.

Mr NAIRN (Eden-Monaro) (4.33 p.m.)—I find it interesting that the Labor Party feign such interest in Telstra because, if it were up to them, communication services across my electorate of Eden-Monaro would be pretty lacklustre in comparison to what is available today. We have to remember that it was the Labor Party who forced the closing down of the analog mobile phone network from 1 January 2000. As the alternative digital mobile network mainly suited cities and towns, this move would have left most of rural and regional Australia in the dark had it not been for the coalition government working with Telstra, Vodafone and Optus towards a commitment to provide CDMA.

CDMA coverage is now available around a lot of Eden-Monaro. It was extended to Cooma and the Snowy Mountains area at the end of 1999. Just how vital something like this is became evident when in June last year the dedicated Snowy Scheme SouthCare helicopter workers were able to pinpoint the location of a missing Canadian bushwalker by contacting him on his mobile phone. If we had allowed the decline of regional mobile phone coverage, as proposed by Labor’s shutdown of the analog system, the work of organisations like SouthCare would be much more difficult. The Labor Party effectively voted against the extension of mobile phone coverage to towns in my electorate such as Bungendore, Braidwood, Bombala and Narooma. There was no coverage there when I came into parliament. Under Networking the Nation, we are now working on an application for mobile phone coverage from Cooma through to Tumut and off Delegate Hill—a key area to get mobile phone coverage to.

The coalition have a strong record on protecting rural and regional Australia in relation to telecommunications. It was this government that introduced Telstra’s customer service guarantee. That never existed under Labor. We have put that in place so that Telstra attract substantial fines when they do not meet their obligations under the service guarantee. Service is what it is all about, not process. The government have indicated that we will not proceed with the full privatisation of Telstra until we are satisfied that arrangements exist to deliver adequate services, in particular to rural and regional Australia. We have always made it clear that our commitment in relation to Telstra is conditional on that. The government’s immediate priority is to get more services into rural and regional areas. These are services that have been made possible by the sensible use of the proceeds of the sale of the first two tranches of Telstra—services in Eden-Monaro such as the extension of SBS
coverage from Batemans Bay down to Eden on the New South Wales South Coast; continuous mobile phone coverage along the Princes, Barton and Federal highways, which will be happening over the next year or so; the computer gym, a mobile hands-on Internet training facility that visited towns like Queanbeyan, Cooma, Jindabyne, Thredbo, Bombala and Braidwood; start-up funding of $161,599 for the establishment of the Eden Community Access Centre, which is now up and running and provides the Eden community with computer and Internet access; the Cooma Call and Technology Centre, for which we provided $1.65 million from Networking the Nation; videoconferencing facilities to communities like Bombala and a high-speed multimedia communications network to serve the South Coast, which has been worked on with seed funding out of Networking the Nation to do planning there.

Also funded by the Telstra sale, the federal government’s Accessing the Future initiatives are working to improve the natural environment through the Natural Heritage Trust, to expand access to telecommunications infrastructure and the Internet, restore services to regional towns, modernise local government service delivery and provide new high-tech job opportunities in regional areas. This includes the rural transaction centre initiative which provides to regional areas much needed services such as banking, postal services and Medicare Easyclaim. RTCs are currently in the process of being set up in Bermagui and Braidwood in my electorate, and many other communities across Eden-Monaro are right now, with federal government funding, working out how they could set up a rural transaction centre in their locality. That is good use of funding from the Telstra sale: putting services back in, guaranteeing service through legislation—all things that never happened under a Labor government.

The coalition’s plan of providing increased communications services and other facilities as a result of the partial sale of Telstra is an initiative that has been widely welcomed in Eden-Monaro—something that the Labor Party voted against. We have promised not to sell the rest of Telstra until we have more adequate standards in rural and regional Australia, but I pose the thought that, as Labor have voted against so many of our communications initiatives and wound back our mobile phone coverage in their time in government, what services would need to be wound back to fund their GST roll-back if they were to get back into government? Do not believe what they say; remember what they did.

**GRIEVANCE DEBATE**

Question proposed:
That grievances be noted.

**Infrastructure Funding**

Mr MARTIN FERGUSON (Batman) (4.39 p.m.)—In speaking in the grievance debate today, I refer to the fact that last year we watched with some interest the debate in the media between the Deputy Prime Minister and National Party leader, John Anderson, and the Treasurer as to whether the proceeds from the sale of Kingsford Smith airport should be reinvested in our nation’s infrastructure, or whether such proceeds should be used to write off government debt. Some of us remember that the Deputy Prime Minister was talking up the fact that the government had an agenda that would include a massive boost to develop infrastructure, especially in regional Australia.

Last week, what did we get? We saw the Deputy Prime Minister and Minister for Transport and Regional Services telling the people of Sydney and people in regional Australia that the proceeds from the sale of Kingsford Smith airport would not be used for the much needed infrastructure development that this country needs both in metropolitan Australia and in regional Australia. On the announcement of the Sydney (Kingsford Smith) Airport sale, Mr Anderson admitted that there was no such agenda. When he was asked why he had decided to ditch the infrastructure plan which was being talked about so much last year, he had this to say:

We pre-empted it. My proposal was (going to be that) it was for Roads to Recovery out of RONIs, which we have done anyway.
In other words, the Deputy Prime Minister was actually saying that the $1.6 billion Roads to Recovery package had taken care of the need for any more infrastructure investment. Basically he was saying:

... we have given some money for local roads, and that’s it on the infrastructure front.

No more money, no more ideas—nothing more, folks, but thanks for listening. That is how the National Party caved in once again and how the Deputy Prime Minister was rolled in cabinet once again. Meanwhile, the people of Sydney, New South Wales and nationally are still trying to understand what this government has in store for them on transport policy. The people of Sydney are entitled to ask: where is this Howard government’s transport plan? People in regional Australia are also entitled to ask: what is being done about the regional infrastructure backlog? Unfortunately, I suggest to the House this afternoon that the answer to all these questions is: plenty of nothing! This is despite the fact that it is universally recognised that investment in our nation’s infrastructure is critical to developing our cities and regions. That is why Labor have already announced that in government we will establish a national infrastructure advisory council to help us sort through the issues that politicians seem to struggle with. The national infrastructure advisory council has been recommended by virtually every major infrastructure review for the past six years, but the government has refused to move it on. We know that funds for infrastructure investment are scarce, but why would the Deputy Prime Minister not fight for more infrastructure investment? Perhaps he does not have fight in him any more.

At the moment, the government’s only policy initiatives are those it pinches from Labor. When the government rolled over on petrol prices, it was because Labor took the views of ordinary Australians to Canberra. When the government rolled over on the business activity statement, it was because Labor took the views of ordinary Australians to Canberra. When the National Party came out and proclaimed that the public interest test of national competition policy needed strengthening, it was only after Labor had been pushing that for over a year. If Labor has no policies, then what could you say about the Howard government policies?

This is a government, as we all know, that is in a backflip mode, with a Prime Minister who has made it clear that there is nothing he would not do or say to get re-elected. That includes ripping off Labor policy on a regular basis. One of Labor’s policies that the government has not yet come around to is, as I said before, to establish a national infrastructure advisory council. Who knows: we might see a backflip on this, the closer we get to an election. I raise these issues because I think it is very important that we have a debate about infrastructure and the huge backlog that exists in Australia. In accordance with our commitment to a national infrastructure advisory council I state clearly that such a policy is about developing a transparent and accountable infrastructure policy that maximises private and public sector involvement in delivering large-scale projects. Transparency is important, not only to the public at large but also to investors. This government has shown us how not to do things—for example, on the infrastructure front, the Speedrail tender process, the IT outsourcing fiasco, continuing doubts about the Darwin-Alice Springs railway and the road funding debacle. That is why Labor’s policy will be put in place, aimed at trying to ensure that as a nation we place proper national infrastructure planning at the forefront.

The new infrastructure advisory council that we suggest will reflect Labor’s partnership approach to infrastructure policy and will help the federal government sort through the hard issues that have to be confronted. For the first time in many years, it will include the people directly affected by infrastructure policy in the development of those policies—that is, people from industry, finance, engineering, planning and academia, regional Australia and local government. All tiers of government, in association with the private sector, will pull together to overcome our infrastructure backlog. Its role will be, for example, to advise the Commonwealth government on strategic planning needs, data
deficiencies, strategies to coordinate within and between governments, and on how we move forward on public-private partnerships. Nothing is easy, but at least we have a proposal to try to come to terms with those huge challenges on the infrastructure front.

I suggest to the House, and to all those people in both metropolitan and regional Australia who are crying out for infrastructure planning and implementation, that we as a nation need to improve the way in which we plan for and deliver our infrastructure. So far, we all know that after five years the Howard government has failed on this challenging front; therefore, the pressure is mounting on the Prime Minister and the Deputy Prime Minister to offer a real infrastructure plan instead of pork-barrelling and piecemeal decision making.

On the issue of the sale of Kingsford Smith airport, Labor has said that it supports the sale but that the proceeds should not only go to debt reduction but also be considered in the context of worthwhile capital expenditure. The proceeds from the sale of the airport should not go to recurrent expenditure but used creatively for worthwhile capital expenditure both within Sydney and beyond Sydney and both within New South Wales and beyond New South Wales. For too long our investments and our challenge on the infrastructure front have been driven by short-term politics rather any long-term plan—and you wonder sometimes whether that is by design or by just sheer incompetence.

The Australian community and industry need a government that understands the infrastructure challenge. In particular, they need a minister who is competent to effectively articulate the needs at the cabinet table and, more importantly, to deliver when the chips are down. We know that the Deputy Prime Minister and Minister for Transport and Regional Services took this debate—one that has been widely reported in the Australian Financial Review—to cabinet but, unfortunately, yet again, obviously lost that debate. When confronted yet again by the challenge of the Treasurer, he threw in the towel and walked away with his tail between his legs and basically said, ‘Well, the Treasurer has prevailed, the National Party has lost, regional Australia has lost, and infrastructure planning and development have lost yet again.’ The problem is that that is happening time and time again to the Deputy Prime Minister and Minister for Transport and Regional Services. The proof of the pudding is in the eating. From hearing decision after decision, the Australian community has come to the conclusion that the Deputy Prime Minister and so-called Leader of the National Party cannot convince his cabinet colleagues of the extent of the infrastructure needs in the community. I suppose we should not be surprised. For instance, take the Treasurer—he hardly ever gets out of his own electorate or out of Canberra; and take the Prime Minister—every now and then he makes a whistle-stop tour of regional Australia. They have no conviction or commitment to infrastructure development and no conviction or commitment to the needs and aspirations of people in regional Australia. The time has come for the Howard government to front up to the challenging debate about infrastructure. The problem for infrastructure at the moment is that we have a tired government, a useless minister and infrastructure backlog getting larger. (Time expired)

Dalai Lama

Mr SLIPPER (Fisher—Parliamentary Secretary to the Minister for Finance and Administration) (4.49 p.m.)—Every so often in this place one gets the opportunity to rise to one’s feet and to talk in a non-political way about matters about which one feels very strongly. I am not a Buddhist, and I suspect that I probably never will become a Buddhist; but, unashamedly, I am a very great admirer of His Holiness the Dalai Lama. Recently, I had the opportunity, on a private visit to northern India, to have a private audience with His Holiness in Dharamsala. Recently, I had the opportunity, on a private visit to northern India, to have a private audience with His Holiness the Dalai Lama. Recently, I had the opportunity, on a private visit to northern India, to have a private audience with His Holiness the Dalai Lama.
Dharamsala, before I arrived in McLeod Ganj. I am particularly impressed with the way His Holiness—who is the 14th Dalai Lama and who was born in 1935—has been able to combine his role as a spiritual leader of the Tibetan people, along with his efforts to preserve Tibetan culture and his efforts in the political arena on behalf of Tibetans—both those living in Tibet and those living outside Tibet. The current Dalai Lama was recognised as a reincarnation of his predecessor shortly after the 13th Dalai Lama passed away. He was the fourth son of a poor peasant family in Takster village in Amdo province in eastern Tibet. I was privileged also to meet the sister of His Holiness, Jetsun Pema, who was educated in Western society but who, since the 1960s, has returned to northern India where she carries out her work on behalf of Tibetan children, including those who are refugees today from Tibet. She runs schools and a most impressive kindergarten which operates on the Montessori principle. She told me that the Dalai institution was perhaps one of the most democratic institutions in the world insofar as anyone could be discovered to be a reincarnation of a previous Dalai Lama.

At the time I was in Dharamsala and McLeod Ganj, there were thousands of pilgrims from around the world who had gone to listen to the words of the Dalai Lama in his teachings. The Dalai Lama not only carries out his political role, but also spends some six to eight hours per day talking to thousands of people from around the world. When one looks at those people, gathered in the very simple temple at Dharamsala, the crowd is multicultural to say the least. There are living in Dharamsala some 3,000 to 4,000 Buddhist monks and nuns, a number of whom come from Western communities. Many people from around the world go at this time of the year to listen to His Holiness’ teachings. I listened to his teachings in Tibetan. I did not understand a word, but somehow, through his aura, the Dalai Lama was able to pass on a very powerful message. Very few people in society have the presence that His Holiness the Dalai Lama does. I think of Nelson Mandela; I think of His Holiness Pope John Paul. There are very few others who seem to have a capacity not to be bitter in any way, to be sincere and to be prepared to look forward. No matter how appalling the treatment dealt to the Tibetan people since the Chinese invasion in 1950, the Dalai Lama always looks forward. He is always trying to win a better deal for Tibetan people while at the same time appreciating the important role of Tibetan teaching and Buddhist theology.

It is a fact of life that, since Australia’s recognition of the People’s Republic of China in 1972, part of that recognition involved an appreciation or acceptance that Tibet is part of China. But it is clear that the government remains concerned in a continuing way over restrictions on religious freedom, cultural identity and freedom of expression in Tibet. All of us are concerned over the disappearance of the Panchen Lama. There are concerns for his safety. I would hope that the Chinese allow the Panchen Lama—that is, the real Panchen Lama, and not the one created by the Chinese authorities—to return to his monastery so that he is able to perform his role as an important teacher.

There are some 130,000 Tibetan refugees living throughout the world, many of them in India. The Indian government has been extraordinarily hospitable. Dharamsala serves as a capital in exile for those refugees. It is ironic that perhaps the 14th Dalai Lama, the current Dalai Lama, enjoys less political power than any of his predecessors, who did not come to the West, but he is undoubtedly the most influential person to ever hold that high office. His worldwide travels, his eloquent meeting with other religious leaders, his speaking in favour of the principles of ecumenical understanding, kindness, compassion, the environment and world peace mean that the Dalai Lama is someone who will continue to be respected by people from throughout the world regardless of the political views that they espouse.

I was privileged to meet His Holiness when His Holiness was last in Australia. I
am very pleased that the Dalai Lama will return to this country in May next year. The Tibetan faith has the Chenrezig Institute based in my electorate of Fisher on the Sunshine Coast hinterland. It is a centre for Buddhist study, meditation and retreat. It is a flourishing community of nuns, monks and lay people. Chenrezig is the name of the Buddha of compassion, who embodies the compassionate wisdom of all the Buddhas. The goal of the Chenrezig Institute—and I have visited it and listened to teachings there—is to benefit as many people as possible, helping them to transform their lives so that they can benefit others and realise ultimate happiness. Their vision is to support the spiritual development of all people in an environment of universal responsibility, wisdom and compassion. They also seek to be a centre for learning, retreat, community and service, following the Mahayana Buddhist tradition. The Chenrezig Institute also runs a hospice for the dying in the Sunshine Coast hinterland; people do not have to be part of the Buddhist faith to be able to access the facilities provided by this very important organisation.

A number of years ago when there was a debate in relation to the Chinese treatment of Tibet, I spoke in the parliament. I do not relin on what I said at that time. It is important to recognise that the Dalai Lama is currently visiting Taiwan. He, of course, is a Nobel Peace Prize winner. A recent newspaper article stated:

‘I am not seeking independence, but I think Beijing’s present policy in Tibet is counterproductive,’ he said, repeating his call for a locally elected government and a high degree of Tibetan autonomy.

‘Under a certain degree of freedom, a local [Tibetan] government should eventually be elected by the local people.’

The Dalai Lama is someone whom we can all respect greatly. He is a person who has seen the most appalling treatment handed out to Tibetan people since that country’s invasion by the People’s Republic of China. He is someone who has had the responsibility of leading his people in spirituality and in Buddhist teaching. He is someone who has been responsible for maintaining the political aspirations of Tibetans and at the same time, through the Norbulingka Institute and in other ways, His Holiness has been ensuring that the culture of Tibet is preserved. He is a man among men and is someone all of us can greatly respect. He is someone who looks to world peace and who looks forward, not backwards. He is someone whom we can universally admire and who can be a focus of unity in the parliament. People throughout the world ought to respect the Dalai Lama, who has been prepared to put aside what has happened to his people and look forward and move forward. (Time expired)

Australian Taxation Office: Petroulias, Mr Nick

Mr KELVIN THOMSON (Wills) (4.59 p.m.)—On 24 March last year, five car loads of Australian Federal Police raided the home of former Australian Taxation Office First Assistant Commissioner, Mr Nick Petroulias, who had been head of the Taxation Office’s Strategic Intelligence Analysis Unit. Nearly 60 federal agents acted on search warrants to conduct raids and seize documents from 78 individuals and companies throughout Australia. There is no doubt that the Australian Federal Police and the Taxation Office have devoted huge resources to the Petroulias case; millions of dollars must have been spent.

At first, Mr Petroulias was charged with conspiring to defraud the Commonwealth with tax schemes that caused up to $900 million to be lost in revenue. But the conspiracy charge, which carried a possible 20-year jail sentence, was dropped two months later. Hints by the AFP and prosecuting barrister, Peter Hastings, way back in June last year that the charge would be reinstated have not been acted on. Hints at that same time that more people were expected to face charges over the Petroulias affair have also not been acted upon. To point out the obvious, just over a week ago we passed the 12-month anniversary since this happened, and there is still absolutely no sign of this matter going to trial. I have been told that no date has been set for this matter to go to trial.
I have been told that no date has been set for a committal proceeding. I have been told that neither Mr Petroulias nor his defence lawyer have been even sent a brief of the evidence against him. In other words, over 12 months have passed and this matter is no closer to being resolved than when Mr Petroulias was arrested. As a result, Mr Petroulias is effectively being punished in terms of his livelihood—that is, his capacity to earn a living—and his reputation, without coming to trial or yet being found guilty of anything.

I do not know anything like enough about this case to have a view about whether Mr Petroulias is innocent or guilty of the charges which have been laid, and even if I did it would be quite improper for me to express a view one way or the other. But I do know this: in this country it is for the courts to impose punishment and penalise people, not the Commonwealth, the DPP or the tax office through failure to proceed.

I notice the Minister for Foreign Affairs has been talking to the Laotian authorities about the arrest and detention of Kerry and Kay Danes concerning missing gems. In Australia, we are all tut-tutting about the Laotian criminal justice system, but even though Mr Petroulias has not been detained by the authorities—as Mr and Mrs Danes are—his life has still been put on hold by these charges. Before we get too high and mighty about the Laotian system, we ought to have a look in our own backyard. Justice delayed is justice denied.

Not only is this delay prejudicial to Mr Petroulias but also it is damaging to public confidence in the tax system. There is growing concern that the length of time this case is taking is damaging public accountability of both the tax office and the government. Virtually every question asked by me, by Labor senators or by others concerning important issues surrounding the tax office’s handling of private binding rulings and offshore superannuation and controlling interest superannuation tax avoidance schemes have been met with the reply that these matters are sub judice. Delays in the Petroulias case are interfering with proper accountability on the part of those charged with administering this nation’s tax system.

The Joint Committee of Public Accounts and Audit has had its attempts to inquire into issues of private rulings rebuffed on the grounds of sub judice due to the Petroulias case. The House of Representatives Standing Committee on Employment, Education and Workplace Relations inquiring into employee share ownership had questions about controlling interest super and employee benefit tax avoidance schemes rebuffed on the grounds of sub judice due to the Petroulias case. The work of the Senate legislation committee inquiring into the bill which outlaws deductions for contributions to offshore superannuation schemes has had its work frustrated on the grounds of sub judice due to the Petroulias case.

Senate estimates committees have also been frustrated by the application of the sub judice convention. Acting on advice from the Office of the Director of Public Prosecutions about possible sub judice considerations, Tax Commissioner Carmody declined to answer questions as basic as whether Mr Petroulias had a security clearance and whether he was really a first assistant commissioner or merely an assistant commissioner. We had the Clerk of the Senate propose that questions to the Commissioner of Taxation be put in writing for vetting by the DPP. My colleague Senator Conroy was moved to describe this suggestion as ‘a completely unsatisfactory subversion of the parliamentary process’.

There is no doubt that the sub judice net has been thrown very wide indeed. As a result, there is no doubt that the delay in bringing this case on is very convenient for the tax office and very convenient for the government. For example, in July last year Channel 9’s Sunday program wanted to interview the tax commissioner. In the tax office’s own words:

The program wanted to raise with the Commissioner the system of private binding rulings. This was likely to cover matters that are currently before the Courts. The Commissioner has advice from the Director of Public Prosecutions that, in accordance with long-standing principles, he
should not publicly discuss issues that are currently before the Court.

So the commissioner did not appear. The commissioner cannot avoid Senate committees, but on the Friday before appearing before the Senate estimates committee on Monday, 29 May last year he contacted the DPP and appeared before the Senate committee armed with the following statement:

I have spoken to the DPP about this matter and he has indicated that he would prefer that there be no discussion about this matter whilst it is still pending before the Courts. While on the face of it some of the questions may appear to invite innocuous answers, the scope of the proceedings and any likely defence to them at this stage could not be said to be so clearly defined that I would feel comfortable in attempting to answer any of the questions. I have raised my concerns with the DPP in the light of his earlier comments and he agrees with my concerns.

With the sub judice net cast as wide as this one has been, the Australian public is in the unhappy situation of knowing that the tax office and the government are shielded from answering a whole host of potentially embarrassing questions until this matter comes to trial. At the present rate of progress, this may not be until after the next federal election. What sorts of questions am I talking about?

First, there is the question of what role Commissioner Carmody had in the appointment of Mr Petroulias. On 7 April last year, the *Sydney Morning Herald* published a report by Michelle Grattan and Toni O’Loughlin headed ‘Tax chief had no hands on role’ with Petroulias’. It reported:

The Treasurer, Mr Costello, has been told that the Tax Commissioner, Mr Michael Carmody, did not have a hands-on role in the appointment and promotion of former senior tax official Nick Petroulias. Sources say the Government has been assured Mr Carmody did not recruit Petroulias, and did not meet him for some time after he was hired. Nor was he the one who promoted him.

To its credit, the *Sydney Morning Herald* did not just leave it at that. On 5 May of last year, Marian Wilkinson, National Affairs Editor of the *Sydney Morning Herald*, reported that a document signed by the Commissioner of Taxation indicated that he personally had asked Mr Petroulias to set up the Taxation Office Strategic Intelligence Network and answer directly to him. The document, signed in September 1998, begins:

I have asked Nick Petroulias, currently Assistant Commissioner, Strategic Intelligence Analysis in Large Business and International ... to take on a new role so as to support the development of a strategic intelligence network throughout the Tax Office.

The new position is that of First Assistant Commissioner, Strategic Intelligence Network and in that capacity Nick will report directly to me.

The tax office admitted the document was authentic. So if the Treasurer was told the tax commissioner was not involved with Mr Petroulias’s promotion then somebody was pulling the Treasurer’s leg. Who could that somebody have been? And the somebody who fed the story to Michelle Grattan and Toni O’Loughlin were pulling the *Sydney Morning Herald*’s leg. Who might that somebody have been? It must have been somebody pretty senior in the government for them to report that one. You wonder who it would have been.

There are many more questions which should step out from the sub judice shadow. Why did the tax office give about 50 favourable rulings and opinions on employee benefit trusts and up to 200 unfavourable ones? How were such conflicting advices issued? Did the tax office reject advice as early as March 1998 that it apply FBT to employee benefit trusts from the May 1998 budget onwards and, if so, why? The high profile and dramatic arrest of Mr Petroulias was immensely damaging to public confidence in the tax office. At the time they said they had been conducting a joint investigation for 12 months. Since then, another 12 months has passed and there is no sign that this matter is any closer to resolution. This is a very unsatisfactory and inappropriate state of affairs.

Clinical Waste Management

Dr STONE (Murray—Parliamentary Secretary to the Minister for the Environment and Heritage) (5.09 p.m.)—Based in Cohuna, one of the towns of my electorate of Murray, there is a remarkable business that is setting standards of excellence in its waste man-
agement work. This business, led by Mr David Elliot, is called Ellwaste. Last year David Elliot brought to my attention a serious problem confronting the sector of his industry which deals with clinical wastes. Since then I have worked with the Australian and New Zealand Clinical Waste Management Industry Group—in particular the network manager, Pam Keating—in an effort to help them achieve a regulated, nationally consistent response to clinical waste management.

Sadly, as recently as 23 March at the National Environment Protection Council planning day, representatives of the states and territories again rejected an immediate response to the Commonwealth’s call for action to achieve nationally consistent, regulated best practice in clinical waste management. Without a consistent and regulated approach labelling, storage, transport and disposal, occupational health and safety, education and waste minimisation continues to be at risk—a risk of seriously affronting the public’s sense of decency, the protection of public health and pollution or contamination of the environment.

So what is the problem? Every day clinical and related waste is generated in hospitals, veterinary surgeries, research laboratories, dental clinics, dialysis units, drug treatment centres, ambulance services, maternity clinics, community health services, nursing homes, blood banks, pharmacies, mortuaries, laundries, brothels, tattooists, body piercing establishments and private homes—wherever patients need ongoing medication, injections and dressings. The bulk of this waste is harmless, and some of it is not. While the waste generated is much the same everywhere, each state and territory has a different definition of what constitutes a hazard or what can be included in general untreated waste. The waste definition confusion reflects the inconsistent and sometimes unsafe approach to what are most important ethical, health and environmental related issues.

To advance this debate I will use the definition of clinical waste referred to in the National guidelines for waste management in the health care industry, circulated by the National Health and Medical Research Council in 1999. Unfortunately, these guidelines have no regulatory teeth. They depend on voluntary adoption by the industry, states and territories—which, as I have said, as recently as last week failed to be greatly moved by any sense of urgency. According to the NHMRC, clinical and related waste includes any material which has the potential to be hazardous, causing sharps injury, infection, disease or public offence. Their categories include sharps, human tissue or animal waste resulting from medical or veterinary research or treatments that have the potential to cause disease.

The human tissue category of clinical waste includes visually recognisable body tissues, such as limbs, placentas, biopsy specimens and non-viable foetuses, or foetuses knowingly obtained through medical procedures, regardless of appearance. It includes material or solutions containing free-flowing blood or expressible blood. Discarded sharps include hypodermic needles, scalpel blades and intravenous sets. These may be contaminated with blood, body fluid, toxic, cytotoxic or radioactive substances.

Animal tissue or carcasses used in research includes animals used in experiments related to infection or where animals have been treated with chemicals that are known to be environmentally unsafe. Cytotoxic waste is material that may be contaminated with a cytotoxic drug, used during chemotherapy usually for cancer treatments. These toxic compounds have carcinogenic, mutagenic and teratogenic potential—that is, they can cause cancer, foetal and neonatal abnormalities. Direct contact with cytotoxics may also cause irritation to the skin, eyes, mucous membranes and ulceration and necrosis of tissue.

Pharmaceutical waste excludes the cytotoxins but includes pharmaceuticals that are over their shelf life or discarded by patients, batches in contaminated packages or waste generated during pharmaceutic manufacturing. Chemical waste can include, but is not limited to, mercury, cyanide and formalin, all
of which require special disposal. These chemicals can corrode sewage pipes and even cause explosions if flushed into sewerage systems. Radioactive waste is generated by nuclear medicine, radioimmuno assay and bacteriological procedures, and it can be a solid, liquid or gaseous. General waste is the bulk of all health industry waste produced. It includes sanitary and incontinence pads, intravenous drip and other equipment which may be contaminated with other hazardous substances. And there is the problem that a single container of waste can be a jumble of sharps, bloodied bandages, infectious material and human tissue.

So clearly we have a problem. The different states and territories have different priorities and different capacities in dealing with the definition, storage, collection, labelling, transportation, tracking and monitoring of the disposal of this clinical waste. The technologies they approve differ, as well as the air emissions standards for incinerators and landfill standards. For example, Queensland, Western Australia, Northern Territory, Tasmania and remote parts of regional New South Wales allow landfill disposal of untreated clinical wastes such as bloodied bandages. Other jurisdictions do not. While high temperature incineration is approved in all jurisdictions, autoclaves are only approved in Queensland and New South Wales. Microwaving is only approved in New South Wales. Grinding and shredding with sodium hypochlorite is approved in Victoria, New South Wales and Queensland, but in Queensland they also approve of grinding and shredding with hydrogen peroxide and lime. And so it goes on.

Clearly there is some incentive for waste disposal businesses to shop around for the state with the least costly requirements for clinical waste disposal. As well, some states and territories do not have the required infrastructure, so transportation of the clinical waste across borders is essential. Given the inconsistency of definitions, labelling, storage and disposal, this transportation presents a major challenge to the industry. It is difficult for a contractor to know exactly what part of the load needs to be treated in the receiving state or territory. Since we are now also disposing of East Timor medical waste in the Northern Territory, especially that generated by United Nations facilities, we also need quarantine understandings. There is no nationally agreed set of colours or symbols to identify the waste in storage in containers or transport. This makes it extraordinarily difficult for the industry. There is no consistency as to the acceptable container and handling practices. For example, while one state has been advocating the disposal of untreated clinical waste to landfill, there are no requirements for mechanical aids on the vehicles to empty the containers safely to protect the workers.

Many health care organisations have facilities located in different states and territories. This means they must duplicate their management systems, policies and procedures, purchasing requirements and education programs. It also means that waste product is more likely to be transported for dumping in the states with the poorest air emissions standards or the cheapest landfill disposal options. This obviously increases environmental risks. It is not fair to those who live in remote and rural communities. Similar problems also exist with the Australian Dangerous Goods Code. Such problems could be ameliorated through a national approach to clinical waste management.

The NHMRC guidelines recommend that ‘the states and territories should negotiate detailed and consistent definitions of the terms to be used in the documentation of their waste management requirements’ and that ‘there is a need for a national, uniform strategy for clinical and related wastes management’. We have a vehicle for overcoming the current problems. This is the national environment protection measures and they can deal with the clinical waste issue between jurisdictions and territories across the nation. A NEPM could produce benefits to all governments by reducing uncertainty about what clinical waste is and how it should be regulated. It would reduce divided opinions between government agencies within states and territories and give industry the same requirements for each jurisdiction,
creating real opportunity for communities to enjoy improved and equivalent standards of protection from infection and pollution. In particular, it could better assure the sensitive disposal of all human tissue.

I strongly congratulate the industry—it has done an enormous amount of work—that deals with clinical waste disposal. It is most conscientious and most anxious to see a better system in Australia prevail. I call upon the states and territories to think much harder about the need for a national environmental protection measure to deal with clinical waste, and I certainly will continue my efforts, as Parliamentary Secretary to the Minister for the Environment and Heritage, to make sure that we very soon do address this most particular problem.

Scouting Movement: Benefits

Mr QUICK (Franklin) (5.19 p.m.)—I was reminded last week of the fantastic work being achieved by the scouting movement in Australia and the impact it has on so many Australian families. I received the following letter which I wish to share with honourable members and the public:

Dear Mr Quick

I am writing to you to thank you for the interest and support you show my children and the youth in our community. Particularly by way of the active interest you take in scouting and the inspiration you implant in them on a personal level when you attend their meetings. Subsequently I hope you don’t mind that I feel compelled to share my own personal story and feelings on Scouting and the importance it plays in our lives.

Like a lot of 60s and 70s children I have had 2 marriages that have resulted in divorce. Involved in this process are 3 sons to whom I’ve given birth and another 5 children—a half sister, half brother and three step brothers. The age range is currently 29 to 13. My first introduction personally to Scouting came in 1985 when my youngest son’s eldest half brother lived with us and attended cubs.

Currently I live as a sole parent with my 15 and 13 year old sons, and this is where Scouting plays such a valuable role in our overall health and wellbeing. The sound principles around which this movement is based are assets for any individual but become even more useful for families who are isolated and disadvantaged by divorce (this is my personal experience).

I am sure you are more than aware of the escalating social problems caused by the trauma of separation and poverty so I won’t go into any details but whilst reading this please balance those against the benefits my children receive, and you will understand why I am so passionate.

Most importantly for me my boys are getting positive adult male role modelling, something it is impossible for me to give, and positive female reinforcement from the leaders of their sections. As my children have no Grandparents, Uncles, Aunts or cousins who they can access, I cannot stress enough the importance this “extended family” provides for all of us.

Their self esteem benefits because they are constantly striving towards their best and are positively reinforced for their achievements no matter how small. Their spiritual health is reinforced not because they are preached to, but because they see by example and experience its reality through their activities. They have a strong sense of community spirit and pride and regularly give of themselves and their time to its improvement, making them some of our nation’s greatest assets. They are gifted with a very powerful personal mission statement to be trustworthy, loyal, helpful, friendly, cheerful, considerate, thrifty, courageous, respectful and caring of their environment.

For myself personally, the assistance I receive from Scouts to reinforce these attributes in my children is a life line in these times where our youth are especially challenged to become honourable, responsible citizens where hardship, violence, the destruction of our planet and the ever present threat of economic depression loom ominously in and out of their lives, and the temptation of mind altering substances to avoid it all are almost thrust down their throats. Is it any wonder that I am so grateful to watch my sons being healthy kids, doing healthy kid things or that I derive such tremendous pleasure to hear their rowdy laughter, see their grubby hands and faces and especially their bright shining eyes enamour every time I collect my boys at the end of a meeting.

Another of the things I am grateful for, is the diversity of experience which it is so impossible for me to provide personally. They go orienteering, camping, can tie knots, swimming, sailing, fishing, visit the snow, go ice skating, bush walking, bike riding, rowing, kayaking, canoeing, travelling, they plant trees and take care of their...
environment. They have campfires and sing songs, they can cook and sew, know their basic 1st Aid and can speak publicly (even though shyly). They get to visit interesting places and as you are well aware they get to meet a variety of interesting people. They have lots and lots of fun and happy memories and the quality of their daily lives and those of the people they touch is improved, and like you they make a difference in people’s lives. It does matter that our children have the opportunity to be well and I believe we are very fortunate to have Scouts as an option.

Any organisation that helps children is worthy and deserves support. I believe Scouts is especially valuable because it provides for and nurtures the whole child. This is so important now more than it ever has been before in our history. My vested interest in this matter is that I have two children at Scouts but as I watch our fine volunteer leaders and committee members (all Australians of the Year) I cannot help but think they need all the help and support they can get. As a sole parent my resources and energy are unlimited, but upon their behalf I would urge that if you or your colleagues are ever in a position to help, that you do so.

Visit their meetings and become inspired by the vigour and vitality that will surround you. Share in the joy of their fresh young faces as they beam in delight, and remember that these are tomorrow’s care takers and policy makers. The hours and hours of voluntary labour and skill that the adult leaders provide make this a multimillion dollar organisation and I would imagine any acknowledgment of what these people consistently give of themselves would be appreciated. I would be surprised to discover that any of your colleagues had not had their lives touched in some way by Scouting being such an established organisation that has run over such a long period of time. Many possibly were cubs or scouts themselves. They especially might be interested in giving something back to today’s youth via this organisation as they consider what assets and skills were developed through their own experiences or any of the memories that were made. I would even go so far as to suggest that you consider the possibility of subsidising these children in your fight against drugs. My boys are too busy living productive lives to have time to consider drugs, and their self esteem is good enough and scouting has given them the ability and the skills to be able to say NO. Considering the impact substance abuse costs our society this could well contribute towards a solution.

I know from my own experience that it has not been easy to finance my children into scouts, and it is where every spare cent we have goes, at times even missing out on other things so we can afford the fees, uniforms and the cost of activities. This remains money well invested and my children’s wellbeing is invaluable. It would be encouraging for sole parents to receive some sort of assistance in much the same way as they do for phones or power, and potentially allow these same gifts to even more children from single parent families with our Nation being the real winner in ... this win, win situation.

There are of course no guaranteed solutions to the ever increasing drug problem. If there were they would already be being implemented. However I believe that this could make a substantial difference to the lives of many, not just the children but the adults who deserve as much assistance as we can possibly give them in their difficult job of helping and supporting their children. These are only vague suggestions, but I’m sure that you and your colleagues could make them into something valuable.

Thank you again for your time and the difference that you make.

Yours sincerely,

Catherine

Environment: Sustainable Use of Resources

Mr BILLSON (Dunkley) (5.27 p.m.)—I rise tonight to talk about sustainability—sustainability of our nation, our economic capacity and our people—and to suggest to the House that the big challenge for the coming century will be to have a century of sustainability when we learn to tread a little more lightly on our earth and to be not just well resourced but more resourceful to make sure that the standard of living we enjoy in this country can continue and be passed on to our kids. The word ‘sustainability’ is thrown around a great deal. At times the concepts are widely articulated but, when you are looking for tangible examples of how to pursue sustainability, they are not quite as readily talked about and as readily accessible as some of the rhetoric would suggest. Madam Deputy Speaker Kelly, I listened with interest to your contribution earlier in the day about the role that ethanol and other biofuels could play. I commend you for that as an
example of things that we as a nation should be thinking about and moving towards now so that we do become a more resourceful, more sustainable country.

I have talked before in this place about the link between our quality of life and sustainability. I have said and would like to repeat today that you look at vital communities, whether they be in rural and regional Australia or outer metropolitan areas, and you see they are vital for a number of reasons. They are important because they are people’s homes—that is where they live and that is where they are pursuing their aspirations—but they are also vital in the sense that they need to be animated, energetic, optimistic and forward looking, and so much of that depends on whether they are on a sustainable footing or not. So often we hear people in the communities we travel to as part of the work of the House of Representatives Standing Committee on Environment and Heritage talking to us about how their natural systems are degraded or saying there is some concern about the longer-term vitality of their communities.

It is interesting. I think to myself: what is the point or the purpose of a community if its lifeblood, its natural systems, are degraded to the point where the community cannot support itself, cannot sustain its existence or cannot generate the wealth and the resources not only to properly care for its citizens but to pursue future opportunities and to fulfil the potential of its people? So I see a very direct link between the sustainability of those communities and their longer-term vitality of their communities.

In that light, I was fortunate to be briefed by the Australian Conservation Foundation a few weeks ago about their document Natural advantage: a blueprint for a sustainable Australia. I would like to commend the ACF for its work. I know that I and a number of others are often on the receiving end of the insights that the ACF wishes to share with the public. What I really like about this document is that it is the start of a new dawn for the conservation movement in Australia. I think people are growing a little weary of the talk of Armageddon scenarios—that the world is going to come to an end; that if this, this and this do not happen then something horrendous is going to occur—and I think a lot of young people are getting quite disheartened by that sort of talk. However, the excellent body of work that Michael Krockenberger, through an international sabbatical, has put together brings to the table constructive and practical suggestions about how to enhance our sustainability in this country. That is really the sort of valuable insight and input that the conservation movement, not only here but also around the world, needs to look to into the future. It is one thing to identify deficiencies and problems; it is a far more character building exercise and a greater challenge to be helpful in identifying what we can actually do about it. The ACF and Michael Krockenberger have done that by looking at what I would call ‘better practice models’ that exist around the globe and by talking about how they may be applicable to our country.

I commend the document to people who are interested in the journey that I am on—
that is, trying to find practical and sensible ways that provide genuine economic opportunity and employment prospects and that underwrite our potential and our future standard of living by ensuring that our natural systems are properly cared for and that we become a more resourceful country. I commend this publication to anybody who shares my interest in that area, because it is an important body of work. It is about getting the framework and the legislative regime right, about knowing what it is that we are trying to do, about measuring progress, about recognising that others are doing some good work and it is about working with the market, taking out of the economy subsidies that encourage activities which have a damaging impact on our natural systems—an impact that is not rectified as part of the production process—and looking at ‘green’ businesses and those sorts of things.

It is also about communicating the message to the broader public. My travels have taken me up into your electorate, Madam Deputy Speaker Kelly, and into the electorates of others, where I talked with cane farmers and the like. They have an enormously significant contribution to make to our country as well as an enormously important role in and custodianship of the land that they manage. Frankly, we need to be there supporting them with that. If you are a cane farmer who has a property that has been in your family for two generations and if you happen to adjoin a world heritage area, my sense is that you have a disproportionate responsibility in helping to protect our environment and that the broader community has a role in helping you to pursue the values that are important to all of us. The question then is: is it a taxation measure or is it a cost recovery measure? I keep saying that, at the end of the day, it is tax or till. Australian citizens end up paying one way or the other, and we need to inform and work with the broader community and with the ACF and other organisations to look at practical solutions to those challenges.

On biodiversity matters, I have spoken in this parliament before about the responsibility we have for the exclusive economic zone—that enormous marine body around Australia for which our country has responsibility and duty of care. About two-thirds of the marine species in the cooler, temperate waters south of Australia occur nowhere else on the planet. In this age of biodiversity, surely we should be looking to understand and tap that capacity. We have land and water restoration challenges: salt is obviously a big issue, as are environmental flows and issues of biodiversity conservation. I commend this publication to people who are interested in that area of work, that body of intellectual endeavour, where we are trying to find practical, realistic, implementable solutions to natural systems challenges that ensure that our standard of living is also considered and worked towards.

A practical example of that work is in my own electorate. The Mornington Peninsula Shire, to their great credit, a few weeks ago conducted a public forum on ‘A sustainable peninsula—making it real’. On 24 March, 380 people came of their own free will, because of their interest in and engagement with this subject, to look at how to implement sustainability concepts on the Mornington Peninsula. For those who do not know it, the Mornington Peninsula is God’s country. Only people who have been there would know how precious it is and that every other option of where to live in Australia is, frankly, a bit suboptimal. The Mornington Peninsula is a very precious part of Victoria because it is basically where we hold back the metropolitan urban sprawl—and, frankly, the Labor Party vote as well. So it has those two very important concepts. Some of the things most valued about that area are its biodiversity, its landscape values, the fact that the environment matters to its community, that it produces fine wines and foods and that it comprises 10 per cent of Victoria’s coastline—an enormous responsibility for the council and the local community. They are having a red-hot go at embracing sustainability principles in a practical way and feeding them through the Mornington Peninsula Shire Council’s strategic planning, policy framework and programs. Measures of performance are part of it, as is an exami-
nation of current policy to see where the gaps may be. It also involves some new policy development work and something that I am particularly interested in: looking to see whether a UNESCO urban biosphere might be one way of recognising that biodiversity matters and that humans are actually part of that biodiversity. I commend the Mornington Peninsula Shire for that work. (Time expired)

Chisholm Electorate: Goods and Services Tax

Ms BURKE (Chisholm) (5.37 p.m.)—I recently wrote to people in my electorate of Chisholm about the consistent abuse by this government of those who I think deserve better from government. I wrote:

It’s just not right. Pensioners and self-funded retirees are not getting their fair share.

After having worked hard and pay taxes all their lives, older people do not deserve the treatment they have received under the GST. People in the Chadstone-Burwood area have been telling me that the GST hits retirees and pensioners especially hard. Petrol, food, electricity, gas and phone are all costing them more. Most retired people do not receive any benefits from the tax cuts and compensation for the GST has been meagre. In fact, John Howard’s compensation has more fine print than most insurance policies.

The Howard government promised a 4% increase in the pension. Half that 4% increase has been clawed back. The Federal government has subtracted 2% from the automatic indexation that is now due.

Remember the government’s promise that ‘all people aged over 60 years would receive $1000’? Very few people received the full bonus, thousands missed out completely and many more suffered the indignity of receiving a cheque for just $1.

Labor is committed to addressing the unfairness of the GST and ensuring older Australians are treated with the dignity and respect they deserve.

In response to this letter, my office has been absolutely inundated with calls—calls acknowledging that the letter hits the nail on the head, calls that show that they are suffering under the GST. I would like to put on the record today some of the responses my office has received. Mrs Sturgeon of Burwood rang to say that she agreed with the letter. She eats only every other day now.

During summer she could not run her air-conditioning unit at all. As many may realise, Melbourne suffered a very hot summer. She cannot afford to run her central heating and is considering disconnecting the phone, even though her children are telling her not to do this because she suffers from many health problems and they are very concerned about her wellbeing. Mrs Sturgeon struggled to pay for her unit and thus has no savings left. She got no benefit from the savings bonus and she thinks this is ridiculous. Wasn’t it meant to assist people such as her who are trying to cope? The clawback of her pension is the final straw. Under the GST, prices have just gone up and up. She used to buy a litre of long-life milk. Originally it was priced at 90c. After the GST was introduced, it went up to 99c. Now it is $1.37 a litre. So she stopped buying long-life milk and is now looking at powdered milk, but on her sums she thinks that even that is going to be too expensive. She simply cannot afford to do anything.

Another couple at Chadstone phoned to say that they were self-funded retirees. Whilst they got the $1,000, it just did not go anywhere near assisting them enough. They believe that prices have gone up more substantially than 10 per cent. They also say that the hidden costs in health have gone through the roof. Whilst they have struggled to keep up their private health insurance, they find it just does not cover things, particularly things like dental and auxiliaries where you get more or less nothing back.

Mrs Hunter of Chadstone phoned to say that her rent has gone up. The pension increase was simply absorbed by her rental increase. Now she struggles to meet basic maintenance costs for her garden and things like cleaning out her spouting. I had another letter from a constituent which said:

From the day I was naturalised Australian, during his Honourable Mr Menzies Prime Minister time, I and my wife and grown-up children have always voted for the Liberal Party and never regretted it till the result of the last election. We voted you in—

This letter was actually to the Prime Minister—
with your idea to revitalise the taxation system with this GST, as its hell was hidden and we trusted you.

To cut it short, as you feel the heat today with the petrol prices, the excise on beer and wine, the downturn in the finance sector, where you go you hear that the b... GST is killing us et cetera. I as a pensioner found myself poorer of $18 per week or $36 per fortnight.

After paying my rates, my housing and furniture insurance, car registration, electricity/gas bills and the weekly supermarket, there is nothing left to pay the health insurance.

His letter goes on and on. Another one I received was from a veteran pensioner, who said:

I come under Veterans Affairs which is on a par with pensioners payments. Yes, it is a battle to survive, as the GST has hit all accounts, plus the two per cent was an insult to all.

Another one I think sums up rather nicely some of the feelings of my electorate. It reads:

I am writing to you on behalf of my elderly parents who are currently receiving the old age pension and are struggling to offset the higher prices caused by the GST.

My parents are Greek Australian migrants who arrived in this wonderful and prosperous country over 45 years ago; they have worked difficult and labour intensive jobs as a motor mechanic and a machinist. They have worked intensely and consistently for all these years. They paid off their home and saved some money in order to educate and raise their children who have now become professionally employed. My parents raised us with strong family values and with a committed work ethic. Unfortunately in their working years they were not fortunate enough to have a compulsory superannuation scheme as for the work force of today.

While salary earners have received tax cuts to compensate them for the higher post GST prices, those on pensions have been given only 2 per cent more, and this was not enough to compensate for the higher prices.

The government might be right when it says pensioners were paid in advance for the rise in the CPI. The point the pensioners make is that what they got is not enough. They have to struggle with the higher costs of food and bills and the situation is such that many are digging into their savings. Fortunately enough for my parents I am required to give them regular financial assistance to help them meet their increased costs. Unfortunately they are refusing to accept my assistance as they are finding it embarrassing and humiliating to rely on their children and have their dignity stripped from them. I believe the elderly are feeling increasingly vulnerable and it is morally wrong. The government has shown that they are prepared to spend part of the budget surplus. Why not spend some on the pensioners?

For your consideration and hopeful support in the future.

I think these examples beautifully sum up the feeling out there in the electorates. Any of you only need to go outside your front doors and talk to the constituents walking past to know that what I am saying is true. This government has no idea that it has been elected to govern to protect the vulnerable in the community. No, this government is trying its best to absolve itself from the responsibility of government. Its first term was spent redefining what an election promise was, whether it was core or non-core. This term has been marked by blatantly broken promises: beer will not rise by more than 1.9 per cent, petrol will not go up, everyone over 60 will get a thousand dollar saving bonus, pensions will increase to compensate for the GST, and on and on. Even my 18-month-old Madeleine would know that telling such whoppers would get you into trouble, but it does not seem that this government understands.

As well as the daring feats of triple pike somersaults and backflips, this government are going to hold on to office at all costs. But they just do not care. They actually do not understand the impact these broken promises are having on ordinary people’s lives. What the government have not done is govern. They have not realised that they are running a country, not a corporation. In my electorate of Chisholm there are over 7,000 pensioners, including an enormous number of self-funded retirees. These are the people who are struggling with everyday issues to survive. And it is going to get worse. Recent economic indicators confirm that the economy is slowing and the effects of this are having an enormous impact on savings behaviour. A
recent ING Melbourne Institute Household Saving Report found:

The proportion of households either running up debt or drawing on savings rose to 12.6 per cent in the March quarter 2001, up from 8.8 per cent and 9.2 per cent in the March and December quarters 2000 respectively. Fewer households report that they are able to save some of their income ... 

So we are seeing that there is a downturn in the number of people saving and an increase in the use of credit. Since the Howard government came to power, we have seen credit card debt go from $6.6 billion to $15.9 billion. People are out there actually living on their credit cards—using their credit cards to pay their normal day-to-day living expenses.

We have also seen a rapid rise in a thing called payday lenders. This is a terrible situation we have seen proliferate. You can literally borrow an amount of money and promise to pay it back on payday but, because the amount of time for which you have borrowed is under 62 days, there is actually no legislation to cover you and you could be paying anything up to 100 per cent or 150 per cent interest on your loan. People are literally taking them out to meet their grocery bills or, heaven forbid, to replace the washing machine or the fridge if it dies. These people will never get a loan from a bank, but they will get a loan from a payday lender.

So the Howard government has created this situation, this loss of confidence in the community, this absolute nightmare for those individuals who are now worse off. Where is the sense of a relaxed and comfortable Australia where we all get a fair go? This government is happy to talk about budget deficit but what about the social deficit they have created? What about the great divide between the haves and the have nots? As you can see, the social black hole continues to widen, but no-one in this government seems to care. We need a government that will care, we need a government that will deliver to people who live on fixed incomes, who live on pensions. We need a Beazley Labor government that will deliver back to the community.

Imports: Orange Juice Concentrate

Mrs Hull (Riverina) (5.47 p.m.)—I rise today to speak on behalf of the Riverina citrus growers. This is a grievance debate and I genuinely grieve for the plight of these proud producers. The citrus industry is one of the largest horticultural industries in Australia, with an estimated gross value of production of $392 million and exports of around $138 million. It is the largest fresh fruit exporting industry and Australia is the fourth largest citrus producing country in the Southern Hemisphere after Brazil. The citrus industry is an important contributor to the Australian economy and is critical to the economy of the Riverina.

Approximately 8,000 people are directly and indirectly dependent upon citrus growing in the Riverina. The Riverina citrus growers have embraced change and have restructured within their industry over many years. They have conducted massive tree pulls and changed focus from the Valencia juice market to the navel fresh fruit export market. They have taken jobs off farm in order to continue a proud tradition of growing citrus for this nation. They have planned, restructured, reworked, removed and replanted, and they have used up all of their family reserves waiting for these actions to bear fruit. All of this is in their hands. But the one thing that they cannot do is to reject the dreaded orange juice concentrate that floods into this country. This situation is totally out of their control.

In 1999 we saw the equivalent of 550,000 tonnes of fresh fruit come into our market in the form of second-rate concentrate. Under successive governments of both persuasions, the growers of the Riverina have had their farm gate returns progressively eroded from around $340 per tonne to $40 to $50 per tonne currently. Bearing in mind that the cost of production is around $200, these growers are experiencing losses anywhere from $130 to $150 per tonne depending on the farm. Obtaining harvest labour is a major problem for our growers as well, and has been for many years. However, at the moment my growers are using family members to harvest...
their fruit as they cannot afford the labour costs.

The citrus growers in the Riverina are proud upstanding citizens who have been reduced to relying solely on Centrelink parenting and family payments for daily survival. They are considered to be asset rich because of inflated property valuations and the machinery they have invested in over the years. Most of these proud growers are living on their farms of around 20 to 40 acres—hardly large expanses of productive property.

But they have been productive in intensive farming for many years—for many generations, in fact! Due to no fault of their own and something they cannot control, they have been forced into seeking assistance from rural counselling services. The dumping of cheap Brazilian concentrate at, currently, around $30 per tonne is decimating our citrus industry. We might be challenged to say that we receive some good returns and good prices on the export market for our fresh fruit. If we are lucky, that may reflect about 10 per cent of production and that is on a heavily graded crop. The letters and representations that I receive from my citrus farming families are desperate and break my heart.

On 28 November 2000 I brought together in Canberra all the nation’s major citrus growers and they were united in their plea. They have now almost finished putting together the required strategy that our Australian citrus industry will need to survive this issue. They will soon be putting this strategy to the current government and I plead with the decision makers to support our citrus industry. Pressure should be put on those companies that are importing concentrate to justify their prices. Make them prove that they are not dumping; make them prove that they are not using child labour. It is this unprecedented low cost of concentrate that processors are using as a benchmark for how much they will pay my growers in the Riverina.

Companies like McDonalds that import concentrate should commit to our local industries, they should commit to returning profit to the country of Australia. My growers are dumping their magnificent produce in mass graves whilst we, the consumer, are served up a grossly inferior product. Supermarkets should also be ashamed of themselves. They force prices down and pay next to nothing for citrus fruit and yet never does the consumer see this price reflected on the shelves. If my growers were getting returns commensurate with the retail price on supermarket shelves, they would be receiving somewhere around $450 per tonne, not anywhere near the miserly $40 to $50 per tonne that they are receiving now.

In the past decade the citrus processing sector has faced reduced tariff protection. The tariff on imported orange juice declined from 35 per cent in 1988 to five per cent in 1996. As a result, the effective rate of assistance for the Australian citrus industry fell from 22 per cent in the late 1980s to four per cent in 1994-95. As I have indicated, successive governments have overseen the demise of the Australian citrus industry. This should be no more. We have seen tariff reduction result in thousands of Valencia trees being pulled out. It may be said that to increase tariffs would be to lead to higher orange juice prices for the Australian consumer, but I say that, if Australian people knew the strength, the courage and the conviction of the Riverina citrus families that I represent they would gladly pay more.

Packaging and labelling laws have been under consideration and have been implemented for some two years now. However, we need to go a lot further for packaging and labelling in order to convince the Australian consumer that they should be buying Australian produce. We need to put it clearly to them so that they recognise that when they buy Australian produce they are supporting Australian jobs. The growers need the Australian consumers to recognise the importance of the inputs that go into farming these productive areas.

If you fly over the areas of Leeton and Griffith you will see that it is a majestic, proud sight to behold. It is like a patchwork quilt. It is a most glorious sight to look down
upon the orange groves and the horticultural district and see what we produce in such a small concentrated area. These are farmers of great tradition. They have turned dry and dusty bowls out in the Griffith area and out in the MIA into a flood and a feast of horticulture, not just for the Australian nation but for export and for international purposes. They deserve to be rewarded. They do not deserve to be seen asking for handouts in Centrelink queues or to be forced into understanding how they are to survive from day to day.

The plight of the citrus industry is great, one that we should recognise. It is a valuable industry to Australia. It is a valuable industry and has been for many years. We must decide now that we want citrus growers in Australia, that we want this great industry to survive. All governments over all these years have not recognised that in totality. Sure, they received a citrus market diversification program in the early 1990s, but did it actually resolve to resurrect the industry or did it just give false hope and open fewer markets than was intended? These citrus growers need new markets. They need 25 per cent local content in the concentrate area. They need processors to recognise the value of having local fresh produce. They need so many things and they are asking for just one thing: a fair go. They just want to survive. This day I stand and represent in this grievance debate something that I came into this parliament seeking to resolve, something that, to this point, I have not been able to resolve and something that I will not lay down until such time as I have brought about justice, equality and equity for the citrus growers of the Riverina.

Question resolved in the affirmative.

ASSENT TO BILLS

Message from the Governor-General reported informing the House of assent to the following bills:

Veterans' Affairs Legislation Amendment (Application of Criminal Code) Bill 2001

Family and Community Services Legislation Amendment (New Zealand Citizens) Bill 2001

CRIMES AMENDMENT (AGE DETERMINATION) BILL 2001

Second Reading

Debate resumed from 7 March, on motion by Dr Stone:

That the bill be now read a second time.

Mr KERR (Denison) (5.58 p.m.)—The Crimes Amendment (Age Determination) Bill 2001 amends the Crimes Act to allow for prescribed procedures to be used to determine a person’s age if a person is suspected of having committed a Commonwealth offence and where it is not practical to determine that person’s age by other means. We understand that the prescribed procedures which the government proposes to introduce will mean X-rays of the wrist bones, which set in adult form at about the age of 18. The bill will allow an official to arrange for an age determination procedure to be carried out with either the consent of the suspect or by a magistrate’s order. Before doing so there must be reasonable grounds to suspect that the person has committed a Commonwealth offence, some uncertainty as to whether the person is under 18, and the necessity that the uncertainty be resolved in order to determine the application of the rules governing the person’s detention or the investigation or institution of criminal proceedings.

The distinction between adults and children is an important one as there are many protections afforded juveniles in an investigation or with respect to their detention, trial and sentencing. It is the government’s claim that there is a growing need for an age determination measure because many people who are the subject of investigations, if they are suspected of having committed a Commonwealth offence, are not Australian citizens and may not have documentation which enables the authorities readily to ascertain their age. The government has identified people-smuggling and drug importation as two criminal enterprises where the age bracket of a number of suspects has been hard to determine.
It is also to be noted that the procedures provided for in this bill will be used in investigations for the whole range of Commonwealth offences, not just for people-smuggling and drug offences. But, of course, those are the matters which have given rise to the sense that this legislation is imperative. The bill requires the suspect to be informed of the purpose and nature of the procedure, any equipment to be involved and its risks, and that the seeking of consent is to be recorded. If a procedure is required, reasonable and necessary force will be allowed in order to carry it out. The bill also contains penalties for the improper disclosure of information obtained through these age determination procedures and requires that the information be destroyed 12 months after an investigation concludes.

When this bill was introduced, the opposition indicated that it understood the reasons for the legislation but suggested to the government that it would be appropriate to refer it to the Senate Legal and Constitutional Committee for detailed examination. This bill, like others that the parliament has considered recently, involves the use of new technology for law enforcement purposes. Whilst we should be taking advantage of new technology as it arises, we believe it is important to ensure that any legislation empowering the use of such technology, and the actual way in which it is to be used, includes appropriate concerns for the protection of civil liberties.

The bill was referred to the Senate Legal and Constitutional Committee for review, and the committee's report contained a number of recommendations that the bill should be amended and also suggestions that the explanatory memorandum should be altered. The opposition have had discussions regarding these recommendations with government advisers who, in turn, have had discussions with the minister. We are aware that the government has already circulated a number of amendments to the bill today, amendments which come with the support of the opposition and which arise out of the committee's recommendation.

It is rare that I take these opportunities, but I commend the work of the Senate Legal and Constitutional Committee. I have held the view for a considerable period of time that we underutilise committees of this House. In many instances I think it would be very appropriate for ministers' advisers to reflect on suggesting to the minister that an alternative course would be to suggest any legislation of this nature be referred to the House committee for report. But, in practice, it tends to be the case that governments expect the compliance of the House of Representatives, assume it will pass the legislation in the form in which it is introduced by government, and see the real discussion and debate occurring in the Senate. That does mean that the Senate Legal and Constitutional Committee has a very large workload.

I place on record my appreciation, in particular, for the chair of the Senate Legal and Constitutional References Committee, Senator McKiernan, who I believe has done an extraordinarily good job dealing with the wide range of legislation that has been put before his committee in the recent months. Might I also—and I think this is something I should do—express some appreciation for the sometimes irritating contributions of Senator Barney Cooney. Barney Cooney is one of those key individuals who has a role in this parliament that he will never let go of. The role he has taken to himself is to stand up for the principles of civil liberties which sometimes, he believes, get insufficient attention by both government and opposition. He is just as difficult a contender for an opposition shadow minister for justice to deal with as he is for those on the government side. I am of the belief that this parliament's dignity is immeasurably enhanced by the contributions that Senator Cooney has made over the years and I believe that the legislative program of this parliament, and the legislation that emerges out of the parliamentary process, is much better for those contributions.

I think the community also ought to be aware that there is within our ranks in this parliament, both in the House and in the Senate, a number of people who hold the
principles of civil liberties as their prime reason for being a member of the parliament, and their commitment to these objectives remains undiminished and unflagged notwithstanding many years of service in this place. I think Senator McKiernan, who chairs that committee, carries an enormous burden of work. I think he deserves special commendation because, in a sense, he is expected, with his committee, to deal with matters that come forward, often with little notice and with an expressed urgency to deal with those matters, and he has a membership which includes senators on both sides who are not going to allow themselves to be used as rubber stamps. I think his wisdom, in the way in which he has managed that process over a long period of time, is something which should be acknowledged in the remarks I make in the debate on this legislation.

Several comments arising from the committee’s recommendations and amendments should be made. The first point I should turn to is that the committee recommended that where a person is the subject of an investigation that person should be informed of the availability of legal assistance. The Australian Federal Police and the Attorney-General’s Department have advised the opposition that a person subject to investigation is always given that information and that they will be provided with that information prior to being asked to consent for an age determination procedure. This will not be reflected in an amendment to the legislation but is reflected in the undertakings and advice that we have received from the Attorney-General’s Department and I am certain is supported by the minister and will be made operationally clear to those who will be dealing with these measures as they arise.

The committee recommended that the bill be amended to ensure that a person who undertakes an age determination procedure can be accompanied by a person of his or her choice. The government have circulated amendments which provide for this and I appreciate their cooperation. The bill allows for an age determination procedure to be carried out with the consent of the person and the consent of a parent or guardian. Remembering that this may be an infant or a child, it would not be sufficient simply to obtain their consent. Before the test of age is carried out, we do not know whether or not they are under the age of 18. For that reason, the bill provides that, as well as their individual consent to the procedure, consent would have to be obtained from a parent or guardian. The committee recommended that consent had to be obtained from the person and from an independent adult. That recommendation stemmed from a concern that it might not be appropriate for a member of an investigating team—a member of a police force or of the Customs Service who may not be involved in the particular investigation but would otherwise possibly be available as an adult to give consent—to give consent on behalf of children in such instances. The government will be moving amendments to the bill to ensure that that consent is obtained from an independent person. Again, I thank the government’s advisers and the minister for their cooperation.

The committee recommended amendments to the bill to provide that a person must be informed of the reasons and purposes for carrying out a procedure. The reason for that is that it is important a person not only consents to the procedure but understands what such a procedure might be used for. Government amendments adopting this recommendation will be moved and of course we will support them. The government has agreed with the opposition to move an amendment which picks up the committee’s recommendation that a person who has given consent has to be told before the procedure takes place that that consent could be withdrawn. The committee has also recommended that legislation be amended to specify that age determination equipment must be operated by an appropriately qualified person, and the government will certainly be addressing that measure. I interpolate here that, while currently the government anticipates that the regulations will provide for age determination procedures to be undertaken by means of the X-ray of wrist bones, the legislation would allow other procedures to
be used. Therefore, it is important that the undertakings that the government has given in this regard are made and on the Hansard record.

I also indicate that the government’s advisers have indicated to the opposition that, if any other procedures are proposed for scheduling or for regulation, they would not intend them to be any more intrusive than the taking of X-rays of wrist bones. They believe that, as technologies emerge and as identification procedures become better able to utilise scientific procedures, there may be less intrusive mechanisms. Certainly, while the language of the legislation is quite broad, the opposition would not want to be seen in any way to be supporting the proposition that we would consent to regulations allowing more intrusive processes. Given that we have been given assurances that that is not intended, all we can do is to note that point and to indicate that, were a future government ever so minded to move in that direction, we would be quite willing to propose disallowance of such regulations. We would not see it as necessary. I think that is well understood on both sides of the political divide.

The opposition also supports the committee’s recommendations that the bill be amended so as to ensure that the procedure is carried out in a manner consistent with appropriate medical standards and appropriate professional standards. The government will be accepting this recommendation and the opposition certainly is glad of that. The committee made a number of representations which will not require amendments to the bill but which will require some government action. The opposition has been assured by the government that the following will occur. The explanatory memorandum will be revised so as to make it clear that the bill applies to all Commonwealth offences and that it will apply to age determination only in respect of people who appear to be young people. This might be thought to be an abundance of caution. The committee suggested that it apply only to people between the ages of only 15 and 25. The government quite correctly said that it is possible that somebody beyond those ages might superficially appear to be around the age of 18, particularly as it applies to the whole diversity of humankind who may come forward in relation to suspicion of commission of offences against the Commonwealth. Human physiology develops differently in different parts of the world, and there may be the odd person above the age of 25 who still appears slightly under the age of 18. So, rather than accepting that specific recommendation of the committee, the government has indicated that it will only be used where there is reasonable doubt about whether a person falls in that band of around the age of 18 but that it may actually be applied to people who are slightly older than 25, if it is the case that their physiognomy suggests that there is some doubt.

The government has also undertaken to make a statement in the Senate, when the bill comes before that place, confirming that the needs of special groups will be met at the interview and in all other processes. Again, this ought to be straightforward. Plainly, when legislation of this nature applies to people who may have intellectual disabilities or who may lack English language skills, it is important that appropriate steps be put in place to take into account their particular needs. Again, I thank the minister’s advisers and the minister for their cooperation in that regard. The opposition will be supporting this bill in the House in the anticipation that all these measures which have been discussed are carried through—some, of course, through amendments which have been tabled and others which will require government action through the minister’s statements in the Senate. The committee also recommended that information, including radiological studies relevant to age determination of young persons of various racial and cultural backgrounds, including women, be regularly sought and used in order to ensure that the prescribed procedures are of maximum utility; that is, to make certain that they are as accurate in their readings as possible. The opposition endorses that recommendation and expects the government will, in the ordinary course, ensure that it is pursued.
On the basis that the government’s amendments have been circulated and that they take into account those concerns, we will be supporting the passage of this bill. I should again indicate that this has been a good exercise in cooperation between the minister and his advisers and the opposition. Originally, this measure was pegged onto a larger piece of legislation regarding forensic procedures to which it was not directly related. I expressed at the time some concern that, given that forensic procedures legislation had already been the subject of a parliamentary inquiry, these measures might send alarm signals through the whole system and delay a package of measures which had reached a point where there was broad consensus. The minister accepted that point of view and then reintroduced the legislation as stand-alone legislation and, through this process, has continued to liaise with the opposition. I think that the legislation, as it has emerged, will be effective in achieving the ends that the government has sought, but will also include a few additional safeguards which have emerged through the parliamentary process.

Finally, I commend to the minister’s advisers the legislation I introduced in the House this morning regarding the civil confiscation of assets of those engaged in crime. The minister has made a public statement that he proposes to take such legislation to cabinet. The advice that I have received—not through any inappropriate disclosure by any of the minister’s advisers, might I make the claim—is that that submission has not yet gone to cabinet. It would seem to me that, where there has been good cooperation, there would be no reason for this government not to adopt the legislation put forward in the House this morning by the opposition—legislation which has had a long gestation and which has been available in exposure draft now for well over a year—to accommodate an objective that the government says it intends to achieve.

So this process of cooperation should not be one way. I believe that it would be very unfortunate and more than a little hypocritical if the government, having said that it wishes to proceed in that direction, does not allow parliamentary time for the debate on the opposition’s legislation and, indeed, the passage of that legislation through the House so that we can actually obtain a result which is effective in terms of addressing one of the key areas of concern in the community; that is, attacking crime at the point where crime is most vulnerable to attack—it’s proceeds. After all, people who are engaged in serious crime undertake that crime for financial motives. They do that in order to secure for themselves rewards, riches and lifestyles which are beyond them through the normal licit activities that we encourage within the community. If there are effective ways of stripping them of their assets that would be more readily available to law enforcement but without infringing those fundamental principles of civil liberty that we hold important, it is a task that I think all in this parliament should commit themselves to. And, given that the opposition has taken the lead in relation to this matter and has twice introduced that legislation, might I commend to the minister’s advisers sitting opposite that they take back to the minister my request that parliamentary time be accorded to this legislation. It may well be a matter that could have proper examination in a House of Representatives standing committee or go through this House and be addressed by a Senate committee. However it is addressed, it is not a matter that can be put into cold storage and allowed to slide off the agenda when so manifestly the Law Reform Commission and law enforcement in Australia have said it must be on the agenda. With those few remarks, I commend this legislation to the House.

Mr PYNE (Sturt) (6.22 p.m.)—The growth crime of the new century is the insidious practice of people-smuggling. According to Interpol, people-smuggling is now the third-largest moneymaker for organised crime syndicates, after drug and gun trafficking. A recent United Nations report estimates that global profits from people-trafficking have grown to US$9 billion and will soon exceed international drug profits. As we debate the Crimes Amendment (Age
Determination) Bill 2001, there are approximately four million people being smuggled around the world. Like most developed countries, Australia is experiencing a boom in the number of illegal migrants penetrating our borders. People in countries with fewer opportunities than Australia are motivated to immigrate here because of our prosperity and our economic and political stability.

Last month an international people-smuggling syndicate alleged to be responsible for the flow of $12 million from Australia to Hong Kong was smashed following the arrest of 20 people in three countries. In Sydney, six Chinese people were detained by the Department of Immigration and Multicultural Affairs. Four were illegal immigrants and two had their visas cancelled. In Britain, two were arrested as part of the same ring, with officials seizing $300,000 in cash and a quantity of illegal drugs. More than 120 false travel documents were seized in the operation.

There are some sections of the Australian community under the impression, perhaps misled by Pauline Hanson’s One Nation Party, that Australia is the only country that has a border management problem. The business of illegal migration and people-smuggling is not a problem confined to Australia. The deputy director of the United Kingdom Immigration Service claims that the European Union had up to 800,000 illegal arrivals in 1999-2000. This is a 20-fold increase on the 1993 estimate of 40,000. There is a mounting body of evidence that suggests the cause of this dramatic increase can be attributed to the proliferation of sweatshops throughout Europe and the activities of transnational organised crime syndicates.

In 1999, a distressed Chinese man appeared at a military police headquarters in the Italian city of Milan begging for help. His wife, an illegal immigrant, had attempted to escape slave-like working conditions in a garment sweatshop near Milan. But the Chinese gangsters who had arranged her illegal passage to Italy captured her at gunpoint. Her husband’s complaint led to raids on sweatshops in 28 cities, from Milan to Rome, and broke up a criminal network of about 200 gangsters in China, Russia and Italy.

The biggest wave of illegal immigrants is by far and away from China. Conservative estimates say that the number of illegal immigrants from China is around 100,000 per year. In the United Kingdom, it is believed that tens of thousands of asylum seekers have disappeared into the community. In 1998, it is understood that 19,000 applicants vanished in the United Kingdom, with this figure projected to rise to 115,000 in 2002.

The US Immigration Service estimates there are over five million illegal immigrants living in the United States. This figure of five million would be closer to eight million if it were not for the 1986 legislation that legalised two classes of undocumented migrants in the United States. The Immigration Service estimates that approximately 275,000 illegal immigrants enter the United States every year. The flow of illegal immigrants across the United States-Mexico border is a continuing problem for the United States government. Despite the enormous financial and technological resources at the disposal of the United States, and the comparatively small border with Mexico, illegal immigrants from Mexico account for about 60 per cent of the total illegal migrants in the United States. Cuba is another border management problem for the United States. The United States grants asylum to 20,000 Cubans every year, and yet the number of illegal migrants from Cuba is presently on the rise. In the nine months from January to October 1998, just 615 Cubans reached Florida to seek asylum; in the nine months following, this figure almost tripled, to 1,690.

Transnational people-smuggling syndicates are using the hope of a better life to induce people to illegally immigrate to more prosperous countries. They harness the hopes of their victims with false promises; assurances of instant employment upon arrival are common, as well as the promise that they will earn above average wages. They allay their fears of being caught by falsely assuring them that authorities are powerless to
extradite them and that it is easy to qualify for permanent residency. With no contradictory information available, those desperate for a better life submit themselves to the terms and conditions imposed on them by organised crime smugglers. In effect, they are unwittingly committing themselves to a life of slavery.

For the organised people smugglers, it is all about debt bondage—the practice of smuggling people into a country such as Australia and making them pay off that debt when they arrive in the country. It is not a debt that can be realistically settled. In real terms, the debt can be the equivalent of $50,000. In practice, repayments can be made only by slowly working off the debt, usually through illegal activities such as prostitution and drug smuggling on behalf of the transnational crime syndicates that organised their illegal entry to Australia. Their servitude can also take other forms, such as loan sharking, protection rackets, money laundering operations, importation and distribution of narcotics, kidnapping, fraud, vice, extortion, contract killing, slave trading and the tragic practice of child prostitution. The Sydney Morning Herald has reported that hundreds of new brothels have opened across Sydney. Estimates put forward by federal government departments suggest there are up to 300 sex slaves in Australia, the majority of whom are illegal immigrants who have originally come from the South-East Asian region.

Clearly, transnational organised crime has become a major international epidemic, continually evolving and keeping abreast of technological advancements. As new business and economic opportunities surface, the tentacles of organised crime are never far away. Organised crime gangs have an incredible ability not only to adapt to change but to expand through the most recent and superior technology. For instance, people smugglers based in Florida are now using powerful speedboats which are capable of reaching high speeds to either reach American shores without detection or, if detected during their journey, outrun coastguard boats.

We all know that globalisation has rationalised, centralised and modernised national economies, but it is also true that globalisation has rationalised, centralised and modernised organised crime groups. As competition between international organised crime syndicates increases, power struggles are likely to be replaced by mergers between syndicates to efficiently use resources, maximise profit and profit-making opportunities and improve risk management practices by pooling intelligence to counter surveillance and investigation.

Sitting suspended from 6.30 p.m. to 8.00 p.m.

Mr PYNE—Before the suspension I was in the process of talking about the big business that is now organised crime around the world. If it all sounds like big business, that is because it is big business. That is why illegal immigration and the debt bondage it brings are so important to organised crime gangs. They are able to use the people they smuggle into a country as dispensable foot soldiers. It is an effective way of putting another barrier between the organised crime bosses and law enforcement agencies.

Organised transnational crime can be effectively tackled only through an integrated global approach. Australia has been an active participant in a coordinated international attack on transnational crime. Australia joined more than 140 countries at the World Ministerial Conference on Organised Transnational Crime, which was held in Naples over five years ago. The outcome of the conference was an action plan to develop a holistic approach to combat transnational organised crime by the harmonisation of national legislation. Central to the action plan is the understanding that all countries must work together in responding to this threat.

Illegal immigration presents other problems for Australia beyond transnational organised crime syndicates. Unlike legal immigrants, who undergo extensive medical tests, illegal immigrants do not necessarily come into Australia with a clean bill of health. Some illegal immigrants arrive with life threatening diseases such as cancer and
motor neurone disorder. This situation has enormous potential to create serious problems for our health system. In Canada, for instance, 1,500 refugee claimants with tuberculosis are living in the community, with 500 refusing treatment. In Britain, the incidence of tuberculosis rose by 12 per cent in 2000, illegal immigrants and refugees accounting for half the cases.

There are also concerns that illegal immigration may threaten Australia’s refugee program, a humanitarian contribution of which we can all be proud. Every illegal arrival costs the Australian taxpayer around $50,000. Australia has resettled 600,000 refugees in the last 50 years. We resettle more refugees on a per capita basis than any other country except Canada. We resettle twice the number per capita than the United States. As the number of illegal immigrants being caught and detained increases, it places a strain on our financial and logistical capacity to service our refugee program that presently assists about 12,000 genuine cases every year.

The coalition government has also introduced a number of legislative measures and initiatives to complement our coordinated international strategy. The border protection legislation, which we debated in this House over 12 months ago and upon which I spoke, gave Customs officials extra power in policing our coastal border. That legislation complemented the commissioning of new anti-smuggling vessels that have the latest technology to protect our borders. These vessels can sail in extreme conditions and can be at sea for up to 23 days. The new vessels will also make our border protection efforts more cost effective and allow officials to redirect resources to other areas in the fight against people-smuggling.

The Criminal Code Amendment (Slavery and Sexual Servitude) Act 1999 is another measure introduced by this government that fights one of the symptoms of people-smuggling: debt bondage. The bill prescribes penalties of up to 25 years imprisonment for those convicted of intentionally owning a slave or exercising power over somebody that is equivalent to slavery. That includes debt bondage and associated practices. Other legislative measures now impose penalties involving 20 years jail and fines up to a maximum of $220,000 for those convicted of smuggling five or more people into Australia. It is the professional people-smugglers and the organised crime gangs behind them that our strategy is attacking.

The Minister for Immigration and Multicultural Affairs, Philip Ruddock, has also embarked on an ambitious international campaign aimed at disseminating information to increase overseas awareness that illegal immigration will not be tolerated by the Australian government. The coalition government has invested $16 million in the Australian Federal Police to combat the growing trade in human cargo. We are now seeing major syndicates smashed as a result of their efforts. Seven arrest warrants have been issued by the Australian Federal Police’s people-smuggling task force since its inception last July. Cooperative efforts have also been established with authorities from other countries to control the problem at its source. Jakarta police broke a passport forgery ring and seized 180 passports, 55 visa stamps and other material used in the people-smuggling process. Thai authorities have also seized over 1,000 counterfeit passports as well as document-producing equipment.

The provisions of this bill presently before the House complement these initiatives. This bill provides for a person to be tested with prescribed equipment, usually an X-ray, to determine their age for identification, investigation, custody, trial, sentencing and related purposes where it is not practicable to determine age by other means. Determining the age of a suspect is particularly important in relation to people-smuggling offences where people under investigation refuse to provide details of their age, make the false claim that they are under the age of 18 years or have no reliable documentation to support their age. Determining the age of a suspect is particularly important in relation to people-smuggling offences where people under investigation refuse to provide details of their age, make the false claim that they are under the age of 18 years or have no reliable documentation to support their age. The proposed bill will send a strong message to those engaged in people-smuggling that they cannot circumvent or abuse the Australian legal system by deceptively claiming they are under the age of 18 years. It will
also avoid the undesirable situation of placing adult suspects in juvenile detention facilities or vice versa.

But the most effective long-term means of controlling illegal people-smuggling is to assist, where possible, in ensuring the economic and political stability of our region. A paper produced by the Institute for the Study of International Migration, which is based in Georgetown University in Washington, noted that ‘stabilising economic growth and democracy may be the most effective long-term means of reducing migration pressures’. This confirms the sensible approach of the Australian government’s commitment to assisting our neighbours in various capacities. As the Prime Minister and the Minister for Foreign Affairs have often indicated, a stable Asian region is in the national interest of Australia. These initiatives and this bill deserve the full support of the opposition. I am grateful for the member for Denison’s contribution and his indication of support for the bill. I, too, commend the bill to the House.

Mr WILLIAMS (Tangney—Attorney-General) (8.07 p.m.)—I thank both the member for Denison and the member for Sturt for their careful consideration of the Crimes Amendment (Age Determination) Bill 2001. The bill contains important measures to prescribe procedures to determine a person’s age where that person is suspected of having committed a Commonwealth offence or charged with a Commonwealth offence and where it is not practicable to determine a person’s age by other means. The bill was introduced into the House on 7 March of this year and was considered by the Senate Legal and Constitutional Legislation Committee. The committee reported on the bill on 27 March 2001. The committee made a number of recommendations concerning the bill. The government will accept some of these recommendations but not others. Some of the recommendations only require changes to the explanatory memorandum. Appropriate changes will be included in the revised explanatory memorandum lodged with the Senate. Additional recommendations do not require any changes to the bill or the explanatory memorandum.

I will briefly address each of the committee’s recommendations. Recommendation 1 contains three separate points. The first will be accommodated by the government’s proposed amendment at item (6). The proposed new subsection 3ZQC(4) expressly preserves the right of suspects at the preliminary stages of investigations, when an age determination procedure may well occur. Of most import is their right to communicate with a friend, relative or legal practitioner and a relevant consular office, the latter being an important safeguard where foreign nationals are involved. These existing statutory safeguards are in part IC of the Crimes Act 1914. The second point will be met by proposed government amendment at item (5). The government accepts that the person on whom the procedure is to be carried out should have, as far as is reasonably practicable, a person of his or her choice present while the procedure is carried out. The government will not adopt the third point. It is not necessary. Magistrates can be relied upon to deal with these matters fairly. I should add that, unlike forensic procedures, age determination procedures are not about gathering evidence to establish that a person has committed a crime; they are about ascertaining a person’s age so that they can be afforded the appropriate safeguards as soon as possible. Many magisterial applications must occur over the phone when a suspect is apprehended in remote areas of Australia. It is not appropriate to include a statutory right to make submissions in person to magistrates.

Recommendation 2 is accepted by the government and would be met by item (2) of the amendments so that it is clear that only an independent adult person can provide consent. I reiterate at this point the fact that a prescribed procedure can occur with informed consent under the proposed measures only if two separate sets of consent are obtained: first, the informed consent of the person on whom the prescribed procedure will be carried out is required; and, second, the informed consent of either a parent or guardian of that person or, if a parent or guardian is not available or acceptable to that person, an independent adult person other
than an investigating official involved in the investigation of the person is required. Without these two separate consents a prescribed procedure can proceed only with magisterial authorisation. The government proposes an additional amendment here to clarify that those persons required to give consent can do so in person or by telephone or other electronic means. It is anticipated that, wherever possible, the consent of an independent adult person would be obtained in person. However, there may be situations where it may not be possible to obtain independent consent in person.

The government will not accept recommendation 3, which would restrict the powers to seek consent for an age determination procedure to federal, state and territory officers. There is no logical reason why other investigators who already have parliament’s imprimatur to investigate and arrest a suspect should not have the same ability to determine that suspect’s age. The proposed restriction would result in less protection for young people where the investigators are not police.

Recommendation 4 contains four separate points. The first relates to problems of comprehension confronting law enforcement officers every day in the field. The bill already requires informed consent to be sought in a language in which the person communicates with reasonable fluency. In some instances this will require the use of interpreters. It is not considered appropriate to acknowledge in legislation some people’s difficulties in comprehension. Item (3) of the government amendments adopts the second point in recommendation 4 so that both the purpose and reasons for the procedure are fully explained to the suspect. The government considers that the third point is already covered by the requirement to inform a suspect of the nature of the procedure and of the equipment that will be used. The committee’s concerns will be further addressed at the operational level as law enforcement officers, consistent with their training, will minimise uncomfortable situations by talking a suspect through each stage of the procedure as it unfolds. This is consistent with the forensic procedure provisions which were before the parliament only last week. The government accepts the committee’s fourth point. However, it is not necessary to change the bill, because proposed section 3ZQE already ensures that video or audio recordings of the informed consent process are taken where practicable. Otherwise, a written record must be made. A copy of this record must also be given to the suspect.

The first two matters at recommendation 5 are no more than standard procedural fairness considerations regularly applied by judges and magistrates. The government does not consider it necessary to express legislate in this area. The government supports the thrust of the committee’s third point and will make sure that a person is informed that they can withdraw consent at any time. Although the ability to withdraw consent is implicit in the nature of consent, it is considered preferable to expressly state this in the bill. Item (4) of the government’s proposed amendments achieves this. The government considers that the fourth point is already covered by the existing law of reasonable and necessary force and the comprehensive training AFP officers receive on the use of force. Immigration and Customs officers, who may occasionally be required to exercise the powers in the bill, are similarly trained. Force will not be ‘reasonable and necessary’ unless the officer applying force took stock of all relevant factors, including whether the person undergoing the procedure understood what was happening.

The first part of recommendation 6 would require investigators to exhaust all other avenues before determining a person’s age under the bill. Of course, in practice all reasonable alternatives would be pursued before using the provisions under the bill. The results of any prescribed procedure would complement other information about a person’s age: for example, their general appearance. However, an express requirement for investigators to exhaust all other avenues merely opens the door to unwarranted technical legal challenges and will frustrate the intention of the bill, which is to determine a person’s age early in the investigative proc-
ess so that children are treated and detained as children.

While the government will not amend the bill to accommodate the committee’s recommendation, the revised explanatory memorandum will more fully explain this issue. The government agrees with the second part of recommendation 6. Item (1) ensures that, if prescribed equipment is to be operated to determine a person’s age, an appropriately qualified person must operate that equipment.

The first point in recommendation 7 has been adopted in item (7) of the government amendments. For example, for the purposes of a wrist X-ray procedure, the relevant medical standards are likely to be those developed by the Royal Australian and New Zealand College of Radiologists. The government accepts the committee’s second point in recommendation 7, although amendment will not be made to the bill itself. This kind of issue is one that can be dealt with effectively in the regulations. The government is committed to addressing the committee’s concerns in the regulations.

Recommendation 8 calls for changes to the explanatory memorandum. The government accepts the committee’s recommendation and will incorporate statements along the line proposed in the revised explanatory memorandum which is tabled in the Senate. The revised explanatory memorandum will point out that there will be circumstances where a prescribed procedure is likely to be used on a person older than 25. The committee’s third point can be addressed by referring to the current legal position that the prosecution bears the onus of establishing on the balance of probabilities that the defendant is an adult.

The government has prepared a statement requested by the committee in recommendation 9. The statement will be included in the Senate second reading speech for this bill. The government accepts the committee’s recommendations 10 and 11. The medical profession is active in ensuring that medical procedures are appropriately used for persons of different racial backgrounds. The fact that the Minister for Justice and Customs is required to consult with the Minister for Health and Aged Care who will, in turn, liaise with the Therapeutic Goods Administration and relevant medical colleges will ensure that only established and researched procedures will be used. The regulations prepared by the government will specify the qualifications, experience and expected role of those persons involved in carrying out the procedures.

Recommendation 12 calls for additional research on the pre-sentencing assistance available to people with special needs. A substantial body of work in this area already exists, including the Australian Law Reform Commission’s comprehensive report on the rights of children throughout the federal criminal justice system, including at the investigative and pre-trial stages. This report entitled *Seen and heard: priority for children in the legal process* reflects the legal position as at September 1997 and is therefore still current. The ALRC also addressed problems experienced with our Australian criminal justice system by Australia’s migrant population in its 1992 report entitled *Multiculturalism and the law*.

The exhaustive analysis in the Royal Commission on Aboriginal Deaths in Custody report still provides significant guidance for law enforcement agencies when dealing with Aboriginal and Torres Strait Islander peoples in the investigative and pre-trial stages. The Human Rights and Equal Opportunity Commission’s Report of the national inquiry into the human rights of people with mental illness identified a number of steps that could be taken to alleviate difficulties experienced by the mentally ill in the investigative and pre-trial processes. There have also been state and territory reports on similar issues. In light of the extensive consideration of the pre-sentencing assistance available to people with special needs suspected of, or charged with, Commonwealth offences, the government does not consider that further research on this issue is warranted at this time. However, the government remains committed to ensuring that people with special needs are fairly dealt
with and will initiate further research as required.

I also wish to address an issue raised by the Senate Standing Committee for the Scrutiny of Bills. The committee considered that the type of age determination procedures would be more appropriately included in primary legislation rather than in regulations. The Minister for Justice and Customs has responded to the committee stating that the prescription of procedures in regulation is appropriate in this case. It is envisaged that the regulations will provide considerable detail on the wrist X-ray procedure, including reference to appropriate medical standards and required safeguards. They will not just deal with the operation of an X-ray machine; the regulations would be drafted in consultation with the Minister for Health and Aged Care. This will ensure that a new medical device would be prescribed only if it were approved by the Therapeutic Goods Administration. The Therapeutic Goods Administration is conservative about matters of this nature. If a new procedure is considered too invasive, the parliament will have an opportunity to reject the prescription of such a procedure. Regulations are subject to review by the Senate Standing Committee on Regulations and Ordinances and are disallowable instruments. This ensures an adequate opportunity for scrutiny of new procedures.

There were two matters raised in the debate to which I wish to make reference. The member for Denison commended Senator Jim McKiernan in his chairing of the Senate Legal and Constitutional Legislation Committee. While I can echo the member for Denison’s acknowledgment of the diligent work of the Senate Legal and Constitutional Legislation Committee, I would clarify one point—namely, that the commendations of the member for Denison should recognise not Senator Jim McKiernan as the chair of the committee but Senator Marise Payne as the chair. No doubt Senator McKiernan as the deputy chair is also worthy of recognition for his contribution to the committee’s work. However, I think it is appropriate to correct the record and ensure Senator Payne receives the recognition she deserves as the chair of the committee, which has an impressive workload.

The second point relates to the member for Denison’s expressed hope that his cooperative approach with the government’s law and justice agenda would be reflected in the government supporting the ALP’s Proceeds of Crime (Amendment) Bill 2000 and according parliamentary debate time to consider the bill. The government is anxious to develop improved proceeds of crime legislation but recognises that legislation of this nature needs to be comprehensive and balanced and requires very careful consideration. The government proposes to introduce some legislation soon which will enable a full debate of the issues.

The proposed government amendments I have just outlined respond positively to the recommendations of the Senate committee and its report on the bill. The bill is very much part of the government’s commitment to ensuring that juveniles are afforded the appropriate statutory safeguards throughout the entire investigative process. I commend the bill and the amendments to the House.

Question resolved in the affirmative.

Bill read a second time.

**Consideration in Detail**

Bill—by leave—taken as a whole.

Mr Williams (Tangney—Attorney-General) (8.22 p.m.)—by leave—I present a supplementary explanatory memorandum to the bill. I move government amendments Nos 1 to 7 together:

(1) Schedule 1, item 1, page 4 (line 10), omit “may”, substitute “must”.

(2) Schedule 1, item 1, page 5 (line 27), before “adult”, insert “independent”.

(3) Schedule 1, item 1, page 6 (line 1), after “purpose”, insert “and reasons”.

(4) Schedule 1, item 1, page 6 (after line 14), at the end of subsection (2), add:

   (ea) that the persons giving the requisite consent may withdraw that consent at any time; and
; and (h) that the person on whom the procedure is to be carried out may have, so far as is reasonably practicable, a person of his or her choice present while the procedure is carried out.

(6) Schedule 1, item 1, page 6 (after line 14), after subsection (2), insert:

(3) The requisite consents may be given:

(a) in person; or
(b) by telephone, telex, fax or other electronic means.

(4) Nothing in this section affects the rights of a person under Part 1C, in particular a person’s rights under:

(a) section 23G (Right to communicate with friend, relative and legal practitioner); or
(b) section 23P (Right of foreign national to communicate with consular office).

(7) Schedule 1, item 1, page 8 (lines 7 to 9), omit section 3ZQH, substitute:

3ZQH Appropriate medical or other standards to be applied

A prescribed procedure must be carried out in a manner consistent with either or both of the following:

(a) appropriate medical standards;
(b) appropriate other relevant professional standards.

The explanatory memorandum which I have just tabled was circulated in the chamber on 7 March this year. The amendments I have just moved respond to recommendations made by the Senate Legal and Constitutional Legislation Committee, as I have outlined in summing up the second reading debate. The first amendment ensures that, if particular equipment is to be operated to determine a person’s age, that equipment must, as opposed to ‘may’, be operated by an appropriately qualified person. This amendment responds to recommendation 6 of the committee. I have already mentioned that the government will accept recommendation 2 of the committee. The second amendment responds to recommendation 2 by inserting ‘independent’ before ‘adult person’ in proposed subparagraph 3ZQC(1)(b)(ii) to reinforce that the adult person must be independent.

The third amendment, in response to the committee’s recommendation 4, ensures that an investigating official must inform each of the persons from whom consent to a prescribed procedure has been sought of the reasons as well as the purpose for which the prescribed procedure is to be carried out. The fourth amendment, in response to the committee’s recommendation 5, obliges an investigating official to inform each of the persons from whom consent to a prescribed procedure is being sought that they may withdraw consent at any time. Although the ability to withdraw at any time is implicit in the nature of the consent, it is considered preferable to expressly state this in the bill.

As I have previously mentioned, the government accepts the second point of the committee’s first recommendation. Amendment (5) responds to that recommendation by allowing the person on whom the procedure is to be carried out to have, as far as is reasonably practicable, a person of his or her choice present while the procedure is carried out. Proposed new subsection 3ZQC(3) is an amendment which builds on protection envisaged in the government’s second amendment which gives effect to recommendation 2 of the Senate committee. Amendment (6) merely clarifies that those persons required to give consent before a prescribed procedure can be carried out can do so in person or by telephone or other electronic means. This will facilitate investigating officials obtaining consent from an independent adult person should this be required. It is anticipated that wherever possible the consent of an independent adult person will be obtained in person. However, there may be situations where a suspect is apprehended in remote northern Australia, for example, where it may not be possible to obtain independent consent in person. The amendment is consistent with proposed subsection 3ZQB(2), which allows an investigating official to also apply to a magistrate for an order authorising the carrying out of a prescribed procedure in person or by telephone or other electronic means.

As foreshadowed, proposed new subsection 3ZQC(4) responds to the committee’s
first point in recommendation 1. The amendment protects the rights of a person under part IC of the Crimes Act 1914, which confers statutory safeguards on persons in the context of Commonwealth investigations. The same safeguards would apply in the early investigative stages when a prescribed procedure to determine age may well be carried out. However, it is considered important to expressly acknowledge that these safeguards are not affected by the measures contained in this bill. The right of a suspect to communicate with a friend, relative or legal practitioner, to which section 23C of the Crimes Act refers, is particularly important. In the context of foreign nationals apprehended as suspects for a Commonwealth offence, the right to communicate with their relevant consular office in Australia is also an important safeguard, and I refer to section 23P of the Crimes Act 1914.

The seventh amendment makes it clear that the prescribed procedure must be carried out in compliance with either or both of the appropriate medical standards and other relevant professional standards. The regulations prescribed under proposed subsection 3ZQA(2) will describe the appropriate medical or other professional standards. For example, for the purposes of the wrist X-ray procedure the relevant medical standards are likely to be those developed by the Royal Australian and New Zealand College of Radiologists. This amendment responds to recommendation 7 made by the Senate Legal and Constitutional Legislation Committee.

Amendments agreed to.

Bill, as amended, agreed to.

Third Reading

Bill (on motion by Mr Williams)—by leave—read a third time.

SEX DISCRIMINATION AMENDMENT BILL (No. 1) 2000

Second Reading

Debate resumed from 29 March, on motion by Mr Williams:

That the bill be now read a second time.

upon which Mr McClelland moved by way of amendment:

Bill (on motion by Mr Williams)—by leave—read a third time.

That all words after “That” be omitted with a view to substituting the following words:

“the House condemns the Government for introducing a bill which is:

(a) discriminatory and socially divisive;
(b) a completely inadequate response to the complex ethical, social and economic issues involved in the development and use of assisted reproductive technologies; and
(c) totally ignores other areas involving the care and upbringing of children where similar issues and principles are raised; and calls on the Government to implement the strong and unanimous recommendations of the Australian Health Ethics Committee of the National Health and Medical Research Council to establish a national framework to regulate the provision and development of assisted reproductive technology (ART) services which should include:

(a) mechanisms to evaluate, assess and prioritise the provision of ART services, including providing necessary criteria to protect, as a primary consideration, the interests of children who may be born from the use of ART as well as the interests of donors and those persons seeking to use ART;
(b) measures to ensure that any child born as a result of the use of ART is able to identify and locate his or her biological parents;
(c) adequate facilities and resources for medical practitioners to obtain expert advice and guidance on the complex ethical, social and economic issues involved in the use of ART; and
(d) procedures to monitor and review the use of ART to ensure that the benefits of ART to participants are balanced with the interests of society as a whole”

Mr LINDSAY (Herbert) (8.29 p.m.)—

When I was last speaking on the Sex Discrimination Amendment Bill (No. 1) 2000, I was making the point that this issue is not a gay rights issue; it is a ‘rights of the child’ issue, in my view. Of course, the Commonwealth cannot expect to dictate that
cannot expect to dictate that every child will
be raised by both a mother and a father for-
ever, and we would never presume to do so.
But we can and must do our best to try to
protect the interests of children and families
by ensuring that they have the opportunity of
having both a mum and a dad from the time
of conception. To adopt the view that we
should do nothing because there are no guar-
antees is simply a cop-out.

Children are not commodities. As a soci-
ety, we have a common responsibility to-
wards all citizens of our country, including
the unborn. It is my understanding and belief
that the IVF program was designed to assist
women, married and/or living with a male
partner, who have difficulties in conceiving
children—you know, couples that are
strongly and definitely committed to having
a family. Indeed, the debate over who should
be able to access IVF has sparked great
moral and ethical arguments. On the one
hand, you have some members of the gay
and lesbian and women’s rights lobby groups
jumping up and down claiming discrimina-
tion if they are to be excluded from gaining
access to IVF. This, however, has been met
with very great concern from broad sections
of my electorate in Townsville and Thurin-
gowa. A typical example of some of the cor-
respondence that I have received is this letter
from Mr and Mrs Naylor of Gulliver. It says:
We commend your decision to publicly declare
your opposition to lesbian and single women be-
ing given access to IVF treatment. We sincerely
trust the public will take heed of your comments.
We further trust that opinions to the contrary
which have been expressed will not deter mem-
bers of parliament from passing appropriate leg-
islation which the Prime Minister has foreshad-
owed to ensure that bans against lesbian and sin-
gle women can be enforced.

Mrs Margaret Hooper of Cranbrook wrote:
I am writing to ask you to vote for the proposed
legislation to amend the Sexual Discrimination
Act which will nullify the recent Federal Court
ruling which allows lesbian and single women
access to the IVF programs in the states. Under
this ruling, the rights of the child were completely
ignored, and I believe that children need the af-
fection and care of both a mother and a father. I
acknowledge that there are occasions when this is
not possible, but I cannot condone the use of IVF
to satisfy the desires of lesbian couples and single
women to become mothers.

The Calvary Assembly of God wrote:
We at Calvary thank you for your support of the
Prime Minister in his stand against the provision
of IVF to single and lesbian women. Please ac-
cept our endorsement of your stand and pass a
copy to the Prime Minister, Mr John Howard.
This is in no way to suggest our antipathy or in-
tolerance of people engaged in these lifestyles.
However, we may feel justified in taking an op-
posing stance to their practices, based on a clear
understanding of the Bible, the Declaration of
God.

Calvary employs 65 full-time staff on site and in
the course of a normal week we deal with over
1000 people including children, teens, street kids’
families, and the elderly.
We have provided counselling, pastoral care,
family support for over 50 years and believe we
have earned the privilege to stand up for what we
perceive to be proven Godly principles and fam-
ily values.

I thank Senior Pastor Tony Hallo, chairman
of the council of the Calvary Assembly of
God in Townsville, for that letter. I have also
received petitions from literally hundreds of
people backing the government’s stand and
what is in this legislation.

The IVF debate has been sensibly bal-
anced by the churches, especially in relation
to the moral argument over whether children
should be reared outside of marriage or a de
facto relationship between a man and a
woman. I would like to quote Reverend
George Ball, from the Presbyterian Church
of Eastern Australia, from a letter dated
August 2000, in which he makes the fol-
lowing points taken from the Bible:
Since God created man, ‘male and female’ sexu-
ality is an integral part of our nature. Sexual rela-
tions within marriage are affirmed as positive and
good. (Heb. 114) ... The perversion of sex, such
as homosexuality and lesbianism, is unnatural and
is condemned by the Word of God. (Rom. 1: 26,
27)
It is the duty of the State to create the conditions
necessary for stable society. This will include
promoting and encouraging family life. This
should be reflected in its various laws affecting
the family. (Rom. 13: 1-7)
The reinforcement of the government’s concern about IVF being used and abused is clear. Reverend Ball concludes:

The practice of using sperm from a donor should be rejected as contrary to the laws of God. This is no less than ‘artificial adultery’. It imports a third person into the marriage relationship. As well, there could be serious psychological effects on the child of such a union.

I ask this: what would our society be coming to if we did not adhere to these principles? I also received letters of support from many other members of the community—for example, from the small community of Bowen, which is south of Townsville. It is welcome to receive that kind of support.

I am foreshadowing that the government will be moving amendments, which were considered by the Senate Legal and Constitutional Affairs Committee in their consideration of the bill, to the Sex Discrimination Amendment Bill (No. 1) 2000 at the conclusion of this debate. These amendments will address concerns that the bill would allow states and territories to prevent access to ART by de facto couples. The proposed government amendments will ensure that the bill does not permit state and territory laws to discriminate, or to permit discrimination, against de facto couples with respect to ART services. The proposed section 221(1A) of the bill as amended will ensure that the Sex Discrimination Act will not prevent state and territory laws from limiting access to ART services to married and de facto couples. In relation to married couples, it will also enable the states and territories to limit access to ART, as Victoria currently does, to those who are living together on a genuine domestic basis.

I commend and support this bill because it is my strong belief that a child ought to have the right to be brought up in a family based upon the marriage of a man and a woman. Boys and girls need a loving mother and a loving father. I urge the opposition to stand up in the interests of children in Australia and to support this bill.

**Dr Lawrence (Fremantle)** (8.37 p.m.)—I might begin my address on the Sex Discrimination Amendment Bill (No. 1) 2000 by making a brief reference to a couple of the comments that the previous speaker has made. While I respect his religious views and those of his constituents, I do think that one of the most fundamental principles that underpins our democracy is that of the separation of church and state. Whatever arguments we may mount have to be based on the arguments themselves, not on whether or not they support a particular religious framework. I make that point by way of observation, not criticism.

Unfortunately in this legislation, however, we are seeing an attempt by the Prime Minister and the government to divide the nation on a very important issue. I think in doing so the government has underestimated the Australian people. While the previous speaker might point to various letters he has had from people urging him to support the legislation, there have been a great many people writing to us, sending emails and letters from all sections of the community, not just those directly affected by this legislation. I guess what that points to is that this is a very divisive tactic, one that we have seen in other areas. Since this government came to power, there have been several such attempts to divide Australians from one another: Aboriginal versus non-Aboriginal people, those with a job versus those without and employers versus employees. I do not think it is helpful to conduct debate in this community in that way. In this attempt the Prime Minister seems determined that those women who are unable to conceive naturally shall remain the have-nots, despite their willingness to undergo difficult technical procedures at significant cost, both financial and emotional. That is basically because apparently his idea of the ideal family is not the same as theirs is. I have to say that the Prime Minister’s approach to this issue strikes me as diminished.

In considering amendments to the Sex Discrimination Act, I think it is very important for us to recall why this legislation was first passed through this House—I might say, with the support of the Prime Minister. As Australians were told at the time the legisla-
tion was passed, the fundamental principle of the bill was to outlaw:
... discrimination based on sex, marital status and pregnancy and discrimination involving sexual harassment ... and that in public life—work, education, accommodation, the provision of goods, facilities and services, the disposal of land and the administration of Commonwealth laws and programs—all such discrimination should be unlawful and there should be a means of redressing discrimination where it occurs.

There are no exceptions given in that; they are all very clearly laid down. The Prime Minister speaks of amending the Sex Discrimination Act as though supporting those rights were never part of the original act for which he voted. But, as he said to the parliament at the time:

There is no doubt that amongst the less privileged in our community, amongst ethnic groups, there are incidences of discrimination and disadvantage against women which are not present within some of the more conservative or Anglo-Saxon elements of our society. I think the bill will be of value in respect of that, and I welcome the effect it will have.

That was said on 7 March 1984. As the Prime Minister knew in 1984 but does not seem to know now, the Sex Discrimination Act was developed exactly to prevent the kind of ‘majority rules’ outcomes apparently espoused by the Prime Minister today.

Our system is a proudly democratic one, and the support of the majority of citizens is required to form a government. But in Australia, as in many other democracies, the power of the majority has always been tempered by respect for the rights of others, particularly those in minorities—hence the Sex Discrimination Act. The rights protected by the Sex Discrimination Act are examples of such rights. They are not about simple majoritarian outcomes. We do not say, ‘Simply because the majority wants it to be so, it should be so.’ We recognise that this very simplistic notion of democracy would indeed be tyranny. This legislation and other laws designed to ensure the protection of all Australians are about ensuring that, while governments are elected democratically by a majority of voters, they should also pay heed to the rights of those people who do not conform to the majority views of values. It is about the rights of all Australians, regardless of their numerical strength. It may be that in some of these groups there is only one person, but they still have certain inalienable rights. The right to live free from discrimination and the right to enjoy the benefits of our community regardless of one’s sex or marital status or race or religion are amongst these rights. One of Australia’s proudest traditions is the belief that we are all equal. For the Prime Minister to attempt to qualify those rights, especially in what looked like a political stunt, is an indictment of the government and a retreat to standards that I think all Australians have come to expect only from rogue states, not from their own country. It really is a dismal outcome for all Australians. In my view, this legislation shows all Australians how past his use-by date this Prime Minister has become. Why is he thinking like this? In 1984 he was prepared to support such legislation and now he wants to repeal it in part.

For most young Australian women and men particularly, the notion that it may once again be legal to discriminate on the grounds of marital status is entirely foreign. You only need to talk to them for five minutes for them to be puzzled by this move on the part of the government. For nearly 17 years since the bill was passed, it has been an illegal question to ask in a job interview. If evidence is presented that any opportunity has been denied on the basis of marital status, then action can be taken and redress sought. That is what we have been doing for 17 years. This is, of course, appropriate and just. But it appears that this government is uncomfortable with that notion, with the belief that discrimination on the basis of sex or marital status is wrong. They want to move to water it down.

The Australian Labor Party entertains no such qualifications. We believe that all Australians are equal and the right to be free from discrimination on the basis of sex or marital status is a fundamental, universally recognised human right. I suppose in some ways it is not surprising that the government
is moving in this area because in the five years it has been in government it has not had a very good record on human rights. For example, the decision to withdraw from the United Nations committee process, thereby removing us from the scrutiny of the world when it comes to our own behaviour, is one which tarnishes Australia’s human rights record; indeed, our record as good international citizens. The decision to remove Australia from the processes of the UN comes at a particularly difficult time for the women of Australia. It means that Australia will not sign the optional protocol to the Convention on the Elimination of All Forms of Discrimination against Women, although various ministers have said that they might under other circumstances—not now, apparently, despite the fact that Australia has been involved in drawing them up. What is implied in that rejection is that the removal of such discrimination is, at least for this government, not an issue. We disagree, and we disagree strongly.

It is clear, despite what has been said by some speakers, that this legislation will not even clarify the conditions under which women can gain access to IVF services. It does not even assist on that point. The previous speaker thought it might, but it does not. It will in fact create the kind of legislative complexity that Australian Federation was, in many ways, designed to overcome but that still dogs us, I would have to say. There are now, and there will be after this legislation, many different scenarios across Australia for single Australian women seeking IVF support.

If this legislation is passed in the federal parliament, women in each state and territory will face different sets of criteria for access to assisted reproductive services, making the whole process more cumbersome and more expensive but, importantly, no safer and no more consistent. If the Prime Minister’s highest priority were to ensure rights for all Australians, surely this kind of inconsistency would have been addressed. In attempting to move responsibility for access to IVF treatment to the states, this government undoes yet another important objective of the act, which was explicitly stated at the time of its introduction. As Senator Ryan told the Senate in her second reading speech introducing the Sex Discrimination Bill in 1983:

The need for such a law is now widely understood and accepted. Throughout Australia women experience discrimination on the basis of their sex and their marital status. In three States there are avenues for redress of infringements of women’s rights. In other States and in the range of areas which are the responsibility of the Commonwealth there is no remedy. The result is economic and social disadvantage and a significant impediment to the exercise by Australians of fundamental rights and freedoms.

The government is seeking to create such a circumstance again. The government at that time took responsibility for the rights of all Australians, regardless of where they lived, while unfortunately this government is trying to turn the clock back and avoid its responsibilities. What is a federal government for if it is not to ensure that the rights of some Australians are not privileged over the rights of others?

I now turn to a slightly different argument against the amendment which is that, as well as being discriminatory, the government’s legislation is also bad law. This problem was identified by the Senate inquiry into the legislation which was conducted by the Senate Legal and Constitutional Committee chaired by Liberal Senator Marise Payne. I pay tribute to Senator Payne, a brave woman who came out against her party’s interests in this respect. The majority report from the committee, after four public hearings and evidence from 55 witnesses expressing a wide range of views, concluded:

The Committee has concerns as to whether the Bill, as drafted with amendments, is the necessary or appropriate response to achieve the stated aims of the Bill.

In other words, it does not even do what it claims to do. Further, they went on to say:

The Committee is concerned that the Bill is unable to achieve its objective, as stated by the Prime Minister and the Attorney-General, of facilitating the right of a child to the ‘reasonable expectation, other things being equal, of the care and affection of both a mother and a father.’
That is the expectation the previous speaker spoke of. The bill does not do that. The committee indeed even noted:

In fact, departmental officers have acknowledged this fact in conceding that the Bill can only apply to the moment of conception and has no effect on any subsequent action of the parents of a child.

Further:

Insofar as the Bill appears to have an unstated objective, of allowing State and Territory law to be exempt from the consideration of the courts, the Committee is concerned that it is not the appropriate method of achieving this objective.

So the senators who spent considerable time and energy examining this legislation found that, even if all of us agreed that it is the only way to achieve happy families as part of a nuclear, heterosexual family unit, this bill could not achieve that outcome. Of course, I hasten to add the government’s view of the ideal family is not the only one supported by the Australian community in whole or in part. But, even so, successfully legislating for happy families, I think, is highly improbable. If we could do it, I am sure we would.

As Senator Payne’s committee concluded:

Irrespective of whether it agreed that the best interests of a child were served by having the reasonable expectation of the care and affection of a mother and a father, the Committee concluded that the proposed amendments did nothing of themselves to ensure such an outcome because they were so remote from it. Many submissions and witnesses at public hearings reached a similar conclusion.

If the government had really been inclined to that course of action, then they probably should have studied work that has been done in the United Kingdom. The United Kingdom government, through its UK Human Fertilisation and Embryology Authority, has developed a code of practice which has legislative force. This actually does provide criteria for the treatment of clients and donors to ensure that the best interests of the child are protected. It is a practical, workable document with the force of law. I will quote from this document for a few moments, because I think it shows what we should be doing in this case; it gives an example from a comparable democracy. One of the factors to be considered in the UK’s code of practice—again, with the aim of protecting the best interests of children—is in section 3.16, where it says:

People seeking treatment are entitled to a fair and unprejudiced assessment of their situation and needs, which should be conducted with the skill and sensitivity appropriate to the delicacy of the case and the wishes and feelings of those involved.

I wish that had been a sentiment of people drafting this legislation. It goes on to say in section 3.17:

Where people seek licensed treatment, centres should bear in mind the following factors—and all of these are important to the welfare of the child—

a. their commitment to having and bringing up a child or children;

b. their ability to provide a stable and supportive environment for any child produced as a result of treatment;

c. their medical histories and the medical histories of their families;

d. their ages and likely future ability to look after or provide for a child’s needs—Do you see the focus? It is actually all on the child’s needs, not on discriminatory treatment of the parents. It continues:

e. their ability to meet the needs of any child or children who may be born as a result of treatment, including the implications of any possible multiple births;

f. any risk of harm to the child or children who may be born, including the risk of inherited disorders, problems during pregnancy and of neglect or abuse—These are all tangible, known precursors in terms of the child’s needs. It concludes:

g. the effect of a new baby or babies upon any existing child of the family.

The next section looks at some other factors:

Where people seek treatment using donated gametes, centres should also take the following factors into account—

In other words, when you move a step forward, there are some other issues which you have to take up, and it describes them as:

a. a child’s potential need to know about their origins and whether or not the prospective parents
are prepared for the questions which may arise while the child is growing up:

Again, it is in stark contrast to this legislation. It talks about:

b. the possible attitudes of other members of the family towards the child, and towards their status in the family;

c. the implications for the welfare of the child if the donor is personally known within the child’s family and social circle—

These are practical problems likely to be confronted by parents. It continues:

d. any possibility known to the centre of a dispute about the legal fatherhood of the child—

Again, they are critical questions not referred to in this legislation. They go on to talk about other matters including where the child has no legal father. They are not blind to the problems associated with that, but they deal with them with sensitivity and in a non-discriminatory fashion. It is very important for us to remember that there are a great many parents in our community who are looking after children either alone, in homosexual relationships or in all sorts of other arrangements where love and care are critical—and exercised.

Like the member for Herbert who spoke before me, I have had letters from various people concerned about this bill, including one from a couple—two women—who are parents to a 21-month-old girl. They said to me:

It seems obvious to me that what children need is to be loved, wanted and cared for.

That really should not be a revelation, but it appears that we have to say it. They go on to say:

There are not too many people who thought harder about whether they actually want to be parents and whether they can meet the needs of the child than women seeking assisted reproductive services. Let me assure you, these women have thought long and hard about their ability to be parents and whether they have the financial and emotional resources to be able to take on this task.

I know there are other parents who feel the same.

The Senate inquiry found additional difficulty with the government’s proposed amendments. Indeed, the committee acknowledged that:

... the amendments may have an indirect impact on a wide range of issues such as adoption, surrogacy and the right of children to knowledge about their biological parents, all of which were raised during the course of this inquiry.

Despite the fact that it has taken so long to draft this legislation, there are still significant problems, and I understand that there are to be further amendments. The committee concurred also that the amendments would erode existing rights and undermine Australia’s human rights system. I quote again:

The Committee believes that this is the first such limitation contemplated since the inception of the Act in 1984.

This is not a good first. This is one occasion where we would rather it did not happen at all. The committee continued:

The Committee is persuaded that its passage into law would erode existing rights.

This is a majority committee report—a cross-party committee report. It would also, they say:

... establish a precedent for future attacks on the rights enshrined in the Act.

That is a very worrying precedent. The committee continues:

By creating exceptions to basic guarantees this Bill would introduce uncertainty into our human rights guarantees and undermine public confidence in the system of human rights protections provided by the Commonwealth.

An uncertainty they point to—the first but not the last. Thus the committee found that this legislation is, in summary, introducing discrimination into our anti-discrimination legislation, backtracking on our international obligations, and undermining our commitment to equality under the law.

In conclusion, to the women of Australia this treatment is not such a surprise. This is, after all, the same government which has cut child-care support, slashed health and education funding, ended government support for women’s community organisations and
put a tax on sanitary products and baby products.

Mr Cadman—Rubbish!

Dr Lawrence—It is not rubbish—look at your own record. This is a government which has seen a widening of the gender gap on women’s and men’s wages and has overseen a proliferation of work in family-unfriendly hours. This is the same government. It is consistent. So perhaps Australian women should not be, and certainly are not, surprised at the latest moves against them from the Liberal-National government. They may not be surprised, but they are certainly disappointed.

Let us face it—this legislation is not about improving the lives of those children who are born as a result of assisted reproductive technologies. That is not its goal and it does not achieve it. This legislation is designed to make it legal to discriminate on grounds of marital status, and thus allow access to a health service on a discriminatory basis. This parliament decided long ago that such discrimination was a violation of fundamental human rights, and we should never undermine that decision.

Mr Cadman (Mitchell) (8.56 p.m.)—I was fascinated by the previous speaker’s comments about the legislation that we are discussing tonight—the Sex Discrimination Amendment Bill (No. 1) 2000—because, in fact, Senator Susan Ryan, when she introduced this legislation, spoke about discriminatory factors and how they were related in the legislation that we are discussing. In the bill, we are discussing the ability to not discriminate. Susan Ryan said in her second reading speech in the Senate:

... the matters that I think are of genuine concern to Senator Harradine—

She picks out Harradine—such as abortion and sterilisation, are already excluded from the operation of the Bill by virtue of being services which can be rendered to one sex only.

Therefore, when the legislation was introduced, the intention of the government at the time, and the intention of the Senate at the time, was to make sure that one group against another was not favoured, and that one group against another was not shown positive or negative discrimination. For members of the Australian Labor Party to say that this is a discriminatory approach, is far from the truth. In fact, the government is seeking to ensure the non-discriminatory nature of the act. The legislation that we are discussing was spoken about by the Attorney-General when he introduced these amendments. In his second reading speech—he was speaking about the McBain v. The State of Victoria decision in the Federal Court—he said:

In that case the court held that Victorian legislation restricting access to assisted reproductive technology (ART) treatment to women who were married and living with their husband on a genuine domestic basis, or living with a man in a de facto relationship was inconsistent with the Commonwealth Sex Discrimination Act, and as a consequence was invalid under section 109 of the Constitution.

It is the government’s view—continues the Attorney-General, Mr Williams—that it was not contemplated that the Sex Discrimination Act would prevent the states legislating to restrict access to ART procedures to women who are married or living in de facto relationships.

The Sex Discrimination Amendment Bill (No. 1) 2000 will amend the Sex Discrimination Act to allow the states and territories to legislate to permit restrictions to be imposed on access to any form of ART services on the basis of marital status.

That is what the Attorney-General said.

The Prime Minister, in making a statement on these matters—and he repeats much of that same argument—on 1 August 2000 said:

In considering the matter, Cabinet had before it advice from both the Solicitor-General and the Chief General Counsel. Both were of the view that the decision of the Federal Court in the McBain case represented a correct interpretation of the law and that, as a consequence, the chances of an appeal succeeding were quite remote.

This issue primarily involves the fundamental right of a child within our society to have the reasonable expectation, other things being equal,
of the care and affection of both a mother and a father.

These are basic covenants under international agreements, the basic rights of a child to have the care and affection of both a mother and a father, rights which seem to be denied by speakers from the opposition tonight. They want to up-end the logic and the processes of discrimination and also of international treaties seeking to protect the rights and opportunities of children. The Prime Minister, in that statement of 1 August last year, goes on:

This motivation no doubt lay behind the Victorian legislation. That is, of having—by implication, I would think—the equal care and affection of both mother and father.

It is the Government’s view that the Sex Discrimination Act was never intended to prevent States legislating to restrict IVF procedures to married women or those women living with a man in a de facto relationship. Some States of Australia have legislation to this effect. Others do not.

The Commonwealth does not have constitutional power to directly legislate in relation to the availability of IVF procedures. If Parliament approves the Government’s proposed amendment then it will be open to other States, if they choose, to enact legislation similar to the Victorian legislation.

It would be my view that the proposals before the House start to restore a reasonable balance in the relationships of children in families. John Anderson, the Deputy Prime Minister, says that the changes to the Sex Discrimination Act are positive for families. He also says:

It is my view that the IVF program was designed to assist women married and/or living with a male partner who have difficulties with conceiving children. Couples who strongly and definitely want to have a family.

That is the purpose of the IVF program. One has only to look at the statistics relating to the success, and at the number of cycles that couples have to go through in the IVF program, to understand the pain and difficulty of the treatment. The cost of it is part of it, yes, for sure, but it is also a program of extended commitment by families. In fact, the success rate is about 11 or 12 per cent. So, for every 100 couples who approach an IVF program, there is an 11 or 12 per cent chance of success.

It is the government’s belief that the reports of various committees and bureaus of the parliament and of the Australian government indicate that the most likely form of successful growth and development for a child is in a family where there is a husband and wife committed to each other for life. These are statistical facts. That it is not always possible for families to stay together or to be successful is regrettable but it is a fact. Whilst it would be extremely difficult for parliament to legislate for happy families, I believe it is possible for us to legislate against unhappy families. We ought to be making decisions to prevent those circumstances where children are going to have less chance or less opportunity. That is the role of the parliament. We cannot predict what is best for somebody or how they should manage their lives or whether there is a likelihood of divorce or a likelihood of death or breakdown—of course, it would be ridiculous to be prescriptive to that extent.

I know that Mr Deputy Speaker will understand that the parliament is not about making those sorts of prescriptive decisions but I believe the parliament has an absolute responsibility to maximise the opportunities for children, to exclude the chance of damage being done and of any risk to children. It is a fact indicated by the Institute of Family Studies that there is a 15 to one more likely chance of children being abused or hurt in a de facto relationship than there is in a relationship where mum and dad are married. It is a statistical fact. Where it is possible, I believe it is the role of this parliament to ensure a commitment of parents to their children. This parliament should understand the yearning that some couples have to have children—even same-sex couples, but they have, by lifestyle decisions, chosen a lifestyle where that is not possible.

If we look at the needs of children, and focus only on the children instead of the in-
clinations and wishes of the parents, we must come to the conclusion that the best opportunity for children to be nurtured and raised, with opportunities for success opening up to them, is where there is a husband and wife, a father and mother. Some of the complexities that are raised by the proposals that have arisen from the Sundberg decision are quite amazing, such as the proposal that same-sex couples or single women can have access to IVF treatment or to assisted reproductive technology, as it is called. There is the prospect of a child growing up without any knowledge of who its parents are, of having relationships and contact with people who are indeed its natural parents but all the time thinking that the person that nurtured it and brought it up was indeed its mother.

I think the complexities of these arrangements and the risks that society would run by following the decisions of the Federal Court are incalculable. I have the view that the court was in error and I believe that that decision ought to be challenged. I know what the Attorney-General says and I know what the Prime Minister says. I believe that this parliament ought to hold its fire on this decision until we know and are sure what the High Court of Australia says. I understand that there is a case on foot. I hope that case goes before and is properly heard and explored by the High Court of Australia, because I do not believe that it is within the scope of the Sex Discrimination Act for it to be used in the way in which the Federal Court says it could be used. I do not believe that was the proposal put by Senator Susan Ryan so long ago in the Senate. The purpose of the Sex Discrimination Act was not to favour small groups of one sex or another; it was in fact to make sure that there was no discrimination between men and women. It was set up so that women would not be discriminated against as compared with males and the aim was not for it to be used to favour one small group of either gender.

The future for this Sex Discrimination Amendment Bill (No. 1) 2000 is, I believe, uncertain because of the testing by the High Court of that Federal Court decision. I believe that the decision in the case that has been the cause of these changes to, and the need for, this legislation should be tested by appeal to the High Court. It is a constitutional matter that only the High Court can determine. The role of the Federal Court in these matters, to my view, has been suspect at times, to say the least.

If one turns to the proposals that we are considering and the examination that was made by the Senate committee dealing with these issues, one would have to come to the conclusion that Mr Justice Sundberg was wrong in his decision and that the approval of the concept that children can deliberately be deprived of their rights to be in contact with and cared for by both parents, and in some cases deprived of the knowledge of the identity of their biological father, creates great mischief, in my view. Effectively denigrating the status of marriage is part of the process and I do not think that that is a positive thing. Sure, we cannot legislate, as I have said, for a happy family but we can legislate to prevent unhappy families.

I believe that the founding of a formal right of a single woman or a same-sex couple to demand a child through this process is part of what Mr Justice Sundberg proposed in his decision. I believe the decision of the Federal Court is questionable. It also has implications for other Australian states, not just for the state of Victoria, where the decision was made, but for the state of South Australia, which has restrictive legislation for the use of assisted reproductive technology, and for Western Australia. I believe in my own state of New South Wales we should see a clear case for the opening up of more positive attitudes about the way in which these processes can be used. Regrettably, that has not been the case to date.

The Victorian government has accepted legal advice that nothing in Mr Justice Sundberg’s ruling excluded the requirement for IVF treatment recipients to be medically infertile. The legal advice considers that all that needs to be done to avoid breaching the Sex Discrimination Act is to remove the reference in the medical need criterion to the
husband’s sperm; thus single or lesbian women will be able to obtain IVF treatment only if they can demonstrate that they are infertile or at risk of genetic abnormality or disease. The implications of the decision have not yet been fully considered by the Australian community but they were raised for part consideration in the Senate committee.

Some other matters that have come to my attention include the prospect of a generation of young people having no inheritance or prospect of linking with past generations or of having something of value and tradition to carry forward. Almost a lost generation or a stolen generation of children could be brought into being by this process. I have read with interest a recent report that an Italian doctor intends to set out to fully clone a human being, something that is rejected by the rest of the world, mostly by legislation—in Australia. That would be taking this whole process a step further. It is a process that most thinking people would reject.

I side with those who think that we should not proceed to recognise the Sundberg decision but should press on, have it tested in the High Court and, if possible, have it turned over there, and if that is not possible, then to proceed with legislation. I hope this legislation successfully passes this House and then is held between here and the Senate, pending a High Court decision.

Ms MACKLIN (Jagajaga) (9.13 p.m.)—

The Sex Discrimination Amendment Bill (No. 1) 2000 is designed to divide the country and to promote prejudice. That sums up what we are debating here tonight. Prejudice and division are Prime Minister John Howard’s stock-in-trade. He is highly skilled at sowing the seeds of resentment among the majority against minorities. His political career is punctuated with remarks delivered under the cloak of commonsense which is crafted to fuel maximum division. The divisions he creates are always at the expense of the minorities in our community and aimed at getting him votes. Make no mistake about it; this is politically motivated legislation. Asian Australians experienced this in 1988 when he said of Asian immigration:

In the eyes of some of the community it’s too great, it would be in our immediate-term interest, and supportive of social cohesion if it were slowed a little so that the capacity of the community to absorb was greater.

Again, in 1996, Australians were subjected to Mr Howard’s divisive policies when it took him 35 days to comment on Pauline Hanson’s racist views against migrants and Aboriginal people. Even then his repudiation was qualified when, in one radio interview, he claimed:

Some of the things said were an accurate reflection of what people feel.

Aboriginal Australians were again a target of his divisive public statements when, in the wake of the Wik judgment, the Prime Minister appeared on the ABC’s 7.30 Report—and I am sure many people will remember this—with a map of Australia, with vast areas of land coloured brown. This was followed by his refusal to say sorry over the stolen generation and then by his refusal to acknowledge that there was even such a generation. The Northern Territory mandatory sentencing laws are another well from which he has sourced his divisive politics. Instead of healing the wounds of the past and bridging the divide between black and white Australians, as a Prime Minister should, our Prime Minister, John Howard, at every turn fuels resentment and maximises division—all for his political purposes.

So it should come as no surprise that last year, in his desperation to divert the nation’s attention away from Labor’s health and education policies, Mr Howard found a new minority to attack—single mothers. We know that he was attacking single mothers because, following the Labor Party national conference, with one breath he would insist that he was not but in the next breath he was classifying who were legitimate single mothers and who were not. With his dog whistle in his hand, which we have seen so many times, John Howard, at a press conference in Parliament House on 1 August last year, claimed that the Sex Discrimination Amendment Bill
Monday, 2 April 2001

Representatives

(No. 1) 2000 had nothing to do with single parent families:
This has got nothing to do with single parent families.
To suggest for a moment that this is in some way an attack on single parent families is ridiculous.
My question to the Prime Minister is: if it is not about single parent families, why did you, in interview after interview, go on and on about it? In another interview, the Prime Minister said:
I mean this is not about single mothers. Now let’s make this very clear—it’s got no ... the overwhelming bulk of single mothers do a wonderful job and I admire them and the way they cope in very difficult circumstances ... And of course there are loving family environments where deserted mothers bring up their children. There are tens of thousands of them and they do a wonderful job. This is not an attack on them. It’s a completely separate issue.
According to Mr Howard, the only legitimate single mums are those who are deserted. If women exercise any choice in becoming a single parent, they are not to be supported by this Howard government. That, of course, is the dog whistle—the bit that goes unsaid—but the implications are clear. According to John Howard, there is no legitimate place in Australian society for single mums who are not deserted mums. All other single mothers and their children are fair game to be used in a political stunt designed to produce maximum resentment and to divert attention away from Labor’s policies. This dog whistle politics became more explicit on 3 August in an interview with Jeremy Cordeaux on radio 5DN, in Adelaide. In this interview the Prime Minister, who was yet again making an attack on single mothers, said:
Nor is it an attack in any way on single mothers. The great bulk of course aren’t single mothers by choice, are they?
One thing we know for sure is that the Sex Discrimination Amendment Bill (No. 1) 2000 before the parliament is not the government’s response to McBain v. The State of Victoria; it is the government’s response to Labor’s national conference. McBain v. The State of Victoria is in fact the third court case since 1996 that found discrimination on the basis of marital status when providing an IVF service to be unlawful, but it is the only case that the Howard Government has shown an interest in. I think it might have had something to do with timing. The Howard government did not introduce legislation to amend the Sex Discrimination Act when the South Australian Supreme Court unanimously declared, on 10 September 1996, that the South Australian IVF legislation discriminated on the ground of marital status and, therefore, was in breach of the Sex Discrimination Act. Nor did the Howard government introduce legislation to amend the Sex Discrimination Act when the Commonwealth Human Rights and Equal Opportunity Commission, in March 1997, considered that the Victorian IVF legislation was in breach of the Sex Discrimination Act and was therefore discriminatory.

So why is the Australian parliament only now debating this legislation? One thing is very clear: it is not because the federal government is committed to addressing the complex moral, ethical and social issues involved in the development and use of this technology. It is not because the federal government wants to put in place measures to make sure that any child born as a result of the use of assisted reproductive technology is able to identify and locate his or her biological parents—it is certainly not that. It is not because the federal government is concerned about the interests of children who may be born from the use of assisted reproductive technology, as well as the interests of donors and those people seeking to use assisted reproductive technology—it is not about that either. And it is not because the federal government is committed to implementing the strong and unanimous recommendation of the Australian Health Ethics Committee of the National Health and Medical Research Council, nor to developing a national framework for regulating assisted reproductive technology. It is none of those things.

No, this bill does not tackle any of the important issues that Australians want to see tackled. This bill is about winding back anti-discrimination laws—that is all it is about—that protect us all; it is about winding them
back for this Prime Minister’s political stunt. This legislation allows Australian states to discriminate on the basis of marital status. It permits different human rights standards to exist in different parts of this country. Do not be misled—under this bill single women will continue to have access to IVF services in some states, but just not in other states. The bill does not stop single women having children; it just makes it harder for single infertile women in some states to have a child through IVF. They are still quite free to travel to a state that provides these services to single women. The laws governing IVF will still be inadequate and confusing. This bill establishes no national framework for uniform legislation to govern IVF services—none.

The development of national uniform standards for assisted reproductive technology has been languishing since 1996, when the ethics committee of the NHMRC recommended unanimously and strongly that legislation be enacted. Has the government done anything about that? No. In fact, in July last year, just a week before the Prime Minister’s divisive act, the Department of Health and Aged Care prepared a report for the meeting of state and territory health ministers which noted the need for these standards to be developed. Dr Wooldridge’s options paper stated:

There is a need to ensure consistent standards in this area of research, clinical practice and related social issues such as eligibility requirements, surrogacy and consent for use of gametes and embryos to ensure that practitioners and participants do not cross inter-state borders in search of services in this field.

The health ministers noted this report on 27 July. At the meeting, the federal Minister for Health and Aged Care, Dr Wooldridge, expressed no urgency in developing uniform laws, and he did not push for new laws to resolve eligibility issues or laws to protect an IVF child’s right to know his or her biological parents—none of those things. Instead, he noted the health department’s options paper and, I am told, did not even speak on the issues. I have to say that I find it hard to imagine anything more dishonest and hypocritical. The health minister had the opportunity to do something constructive to resolve the confusion surrounding eligibility for IVF services on 27 July. He had all the state ministers responsible for administering IVF in one room. Assisted reproductive technology was on the agenda and he failed to discuss it. Strangely, just three working days later the Howard government announced that it would urgently amend the Sex Discrimination Act to allow states to discriminate on the basis of marital status. Of course, this had not been mentioned at the ministers meeting.

This, more than anything, to me exposes this legislation for what it is—a Howard government stunt designed to divide the country and create resentment against single mothers. Once again, this Prime Minister has resorted to dividing the majority against a minority for his own political advantage. This legislation does not protect the rights of the child—the sanctimonious reason we have heard from the Prime Minister and the health minister. Legislation that protected the rights of the child would address point 3.1.5 of the NHMRC ethical guidelines for assisted reproductive technology. This point states:

Children born from the use of ART procedures are entitled to knowledge of their biological parents. Any person, and his or her spouse or partner, donating gametes, and consenting to their use in an ART procedure where the intention is that a child may be born must, in addition to the information specified in this section, be informed that children may receive identifying information about them.

Victoria is the only state that allows IVF children access to information about their donor parents once the person turns 18. Western Australian and South Australian legislation denies IVF children this right by making it illegal for the identity of the donor to be disclosed. There is no specific legislation to regulate IVF in NSW and Queensland, and compliance varies between clinics.

There are strong health and emotional wellbeing benefits for children that flow from ensuring that this information is available. In my view—it is certainly a very
strong personal view of mine—Australian children born as a result of IVF technology should have equal rights to know the identity of their biological parents regardless of which state they were conceived in. Mr Howard has done nothing to make sure that that right is created or protected.

The adoption of this guideline nationally would require all donors as part of their participation in any treatment program to be properly counselled and informed of the possibility of later contact. There are specific requirements in the state acts and the NHMRC guidelines for the provision of counselling services for those involved in IVF treatment. However, the absence of a consistent definition of ‘counselling’ or the qualifications of those providing the service raises the question as to whether services are being appropriately delivered. We have no commitment from this government to national IVF protocols for counselling or to the national accreditation of counsellors. Nor has the government made a commitment to develop a uniform system of record keeping and confidentiality requirements across the states. This is a very important issue.

A national database of donors would ensure that the reporting data were thorough and consistent. It would make sure that proper records were maintained indefinitely and the number of offspring from an individual donor recorded nationally. A national register and database could reduce the likelihood of accidental incest, where too many children are born using the sperm of one man or using the ova and sperm of one family, between the same family members. Western Australian legislation requires that no more than five known families receive gametes from one donor. In South Australia, a maximum of 10 children can be born from the reproductive material of one donor. These issues are relevant at the national level, yet there are no limits. These limits could be enforced through a national register. Issues of accidental incest could be avoided through the establishment of such a database.

This legislation does nothing to address any of these issues. It does not commit the government to a national register and database of donors. It does not ensure nationally consistent reporting. It does not assist IVF children to identify their biological parents. It does not implement a consistent screening program for donor gametes and embryos. This legislation is not about protecting the rights of the IVF children. It is about creating unequal rights. The Australian Labor Party believes that all Australians are equal before the law and that the right not to be subject to discrimination on the basis of sex or marital status is a fundamental human right. It is a very sad day for human rights in this country when this principle—a principle that has been enshrined in legislation for 16 years—is sacrificed for a political stunt.

Human rights laws such as the Commonwealth Sex Discrimination Act are made to protect minorities from the majority’s prejudices. They often challenge deep-seated and popular prejudices, because that is exactly where discrimination is rooted. The Howard government, in the pursuit of electoral popularity, has demonstrated that it has no concern for the human rights of Australians. Human rights are there to protect all of us and when the Prime Minister of the day is allowed to pick and choose which Australians are worthy of protection all of us should be worried. This Prime Minister knows only division. This Prime Minister does not govern for all Australians; he governs by exploiting majority resentment against minorities. The only way to make sure that all Australians continue to be protected is to defeat this legislation and send a very strong message to this Prime Minister that Australia is a tolerant, compassionate country where human rights are not only protected but freely shared by all Australians.

Mr LAWLER (Parkes) (9.31 p.m.)—I am very pleased to speak on the amendments to the Sex Discrimination Act. I want to make the point at this juncture that of course speakers on the other side will have some fair and reasonable points to make, as will speakers on this side of the debate, because it is not a simple case of one side being right
and one side being wrong. Both sides hold legitimate arguments.

I wish to comment on a couple of the more incoherent arguments of the previous speaker, the member for Jagajaga. Firstly, she was saying the Minister for Health and Aged Care addressed a gathering of the state ministers and did not mention the legislation that was going to be put before the parliament. It would probably be fair enough if the government was going to legislate to deprive the states of the rights that they have, but to not mention the fact that it was going to legislate to allow the states to maintain the rights that they have always had seems to be a bit of a strange argument to me.

Secondly, the previous speaker was speaking about the need for databases, rights and the development of protocols. I have no argument with any of that, but one would think, by the vehemence of the argument of the member opposite, that there was no such thing as IVF prior to 1996. I agree that many of those things should be done. But let us not go down the track of the political argument that she was speaking about over and over again that the coalition side of the House is doing something for political purposes, because there was every opportunity for the other side of the House to make the same legislation, to make the same points, prior to 1996.

The case in the Federal Court of McBain v. The State of Victoria held that Victorian legislation restricting IVF treatment to women who are married and living with their husband on a genuine, or domestic, basis or living with a man in a de facto relationship was inconsistent with the Commonwealth Sex Discrimination Act and, as a consequence, it was deemed invalid under section 109 of the Constitution. At that point, this government decided to amend the Sex Discrimination Act so as to permit any state to legislate to the effect of the Victorian act under consideration in the McBain case.

It is right for this government to return responsibility for access to assisted reproductive technology to the state where it belongs. Before anybody says that this is a cop-out, I am quite happy to stand up here and state that, if I had a role and a voice to play in the state, I would support the position the Victorian government took on this case anyway. But by amending the Sex Discrimination Act 1984 it will ensure that state legislation dealing with the matter will not be overridden as we saw in Victoria recently. Removing this federal loophole on IVF treatments and other associated procedures is in line with pursuing ideals that reflect established community goals for the common good.

The federal government is seeking to amend legislation that presently allows the Federal Court to override some state laws that reserve assisted reproductive treatment for male-female couples. The government’s amendments to the Sex Discrimination Act introduced to the parliament are in no way intended to allow states and territories to legislate to restrict access only to women who are married. The government’s move towards restoring the integrity of the states’ jurisdiction over health and medical care has certainly angered some single women and lesbian couples seeking children, but it should not be viewed as a condemnation of lifestyle. Less scrupulous sources of information have painted the issue as one of making a judgment in favour of heterosexual couples. Nothing could be further from the truth. That is unfortunate, given that these distortions found their way into the reports of several media outlets.

By moving to close this loophole, the federal government is acting to give children what the vast majority of the community believes is the best chance for a good start in a life that is full of variables from that point on. This is not about saying that, because someone is single or gay, they provide a less caring home for a child, nor is it to say that heterosexual couples are always better parents. That is simply not the case.

There are a million different situations and countless socioeconomic equations involved in all relationships, and no generalisation can hope to accurately weigh one set of circumstances against another. But I believe—and I think the vast majority of the community
believes—that the best start for a child in these increasingly demanding and uncertain times is to have, where possible, a mother and a father. This is about trying to ensure that a child has a right to what we recognise as the best chance of a stable, loving upbringing, given that we will share our society with this child in years to come. In the case of boys, we as a community recognise that the absence of a male role model in the household can, in some ways, be detrimental to their development. It is certainly not a criticism of single mums who find themselves in those situations—I personally am very closely involved with many single mums who are fantastic parents—but, as a deliberate choice for the youngster, the fatherless home is not what we want if it can be avoided.

There are some crazy arguments on this side of the debate about who will pay child support if a lesbian couple separates and even some calls from single males about their right to children if that right is a universal one, but I think these scenarios only cloud the issue. For me the point is that we have some control over just one of the millions of influences on this young life, and if we can encourage a situation where that child is born into a household with a mum and a dad then we as a society find that preferable. It is about the common good as our society sees it, just like countless other decisions, such as speed limits on the roads we share, for example. For some drivers’ abilities, 100 kilometres an hour is too slow; for others it is probably still too risky. But, in terms of what we see as best for the common good, we exert control over that one aspect of road travel that might reduce the likelihood of death or injury for us all.

Similarly, we prefer the adults with which we share our community to have at least been given a chance at a mum and a dad at the outset of their lives, however temporary, or even if that may not always be the perfect situation. But children born to lesbian couples or partnerless women using reproductive technology never have that chance, and I do not think that is something we wish to encourage. The move to amend the federal Sex Discrimination Act follows its use recently to override, as we said, Victorian legislation restricting treatment to heterosexual couples. The debate is somewhat irrelevant to my constituents in New South Wales, I understand, where such treatment is available to single women, gay or not. But the fact remains that we as parliamentarians are elected to pursue the common good for our constituents, and the evidence that we are on the right track is the difficulty the opposition have had bringing themselves to disagree. This is one of those occasions when the argument in favour of what this government proposes sufficiently eclipses the knee-jerk arguments to the contrary to the point where the opposing view is unpalatable even to many in the opposition ranks. Calls for conscience votes and mutterings of ALP backbench unrest skirted this issue, because the eagerness to play politics with this issue is not shared by many in the Labor Party, nor by their constituents apparently. There is no clearer indication than this scenario that the government is on the right track as far as reflecting community expectations.

An Australian Associated Press article raised the prospect of de facto couples being delayed access to the treatment in some states due to matters of legal recognition. In Western Australia and South Australia couples must be together for five years to be formally recognised, the article stated. I can appreciate certainly that this would not be applauded by a de facto couple wishing to utilise assisted reproductive technology, but in this case in these states it is not as though the parents are trapped in an intractable position. If they want to access those procedures sooner, they have the option to tie the knot, and if that offends a core belief of some description then they, as mature people, must recognise that their beliefs in this case come at some cost.

I hark back to the comment I made before that that is not a belief that I would share if I was in the state government concerned. But, as this is a matter for the states to determine for those people who prefer the absence of legal recognition in their relationship, we must say that it is reasonable for the states to
seek some other indication of their stability and claim to be in a long-term relationship. In short, this legislation is about preventing federal legislation being used to knobble the laws of the states comprising our Federation. In doing so, this government has acted with wisdom and in line with the wishes of the vast majority of the people it represents.

Myriad faxes and letters have come through my office, and I understand the offices of many others, from groups that are concerned about this legislation: the Polish Christian Church; MU Australia, which I understand is the Mothers Union—probably not a group that I would have a lot in common with, but I understand that when they sent out a survey a comment recorded across the survey was, ‘Don’t be so stupid’; the implication being that parenting is difficult in normal circumstances without imposing such difficulties by choice—the Women’s Action Alliance, which support it; the Presbyterian Church of Victoria; the Presbyterian Church of Eastern Australia; and many others, including the Right to Life Association.

As I mentioned at the beginning of this address, this is certainly not one of those times where there is a clear black and white line of definition between what is right and what is wrong. But I believe that the action that the government is taking in this case is representative of certainly the vast majority of views of those in my electorate, and I am happy to stand here and make those utterances publicly.

**Mr HORNE (Paterson)** (9.42 p.m.)—It is very interesting to look at the speakers list for the debate on the Sex Discrimination Amendment Bill (No. 1) 2000 and notice—as I said to Dr Lawrence and the former speaker from the opposition side, I think I am an honorary member of the sisterhood tonight—the absence of women from the government speaking on this issue. That concerns me, because I believe this should be a bipartisan issue, and it should be one that is fought on human rights. Later I will turn to a doorstep that the Prime Minister gave last August, but before the member for Parkes leaves the chamber I will quote Emeritus Professor Carl Wood of Monash University, who said:

> The rejection of lesbians as suitable parents by artificial insemination or IVF may be due to homophobia as there is no evidence that they are less effective than heterosexual parents. It may also reflect the continued rejection of female rights by males in positions of power in politics, business and the law.

That is exactly what this chamber is trying to do tonight. It is essentially a group of males from the government side trying to withdraw the rights of a number of women—and we are not talking about a large number of women; we are talking about something like 130 to 150 women per year.

It does not take an Einstein to realise what this legislation is about and why it is being presented to the parliament of Australia at this time. It is about a Prime Minister seeing an opportunity to divide Australia once again and to milk the situation politically for a few votes. The fact that this legislation will end the hopes of some Australian women to have children means nothing to this present government. The fact that the Federal Court ruled that prohibiting fertility treatment to single women and lesbians was unconstitutional means nothing to this government. The reason why we have this legislation today is that the government intends to overrule the law by changing it.

We have a government that is saying children should be born into a family, have a mother and father and know them both. This reminds me very much of a publication that the then opposition produced in 1995 showing the white weatherboard home, the picket fence, the yard—everything was beautiful. I called it the Pollyanna picture book, the daydreamers book, the sort of thing that you saw in the movies of the 1950s and 1960s that I can recall of the Midwest of the United States where everything in the garden was wonderful. That is what this government would have you believe about families, but it is simply not the case.

This government has to identify what it has responsibility for and where its responsibility ends. In this legislation, is there any mention about jobs—the rights of families,
the parents, to have jobs? Is there any mention of love and the ability of parents to love and care for the child? Is there any mention of the need for parental guidance and understanding to help with the problems faced by a growing child? Is there any mention of the child being safeguarded against physical, mental and sexual abuse? The answer is no, there is not. All we have in this legislation is a government saying that it is preferable that a child be born into a nuclear family of mother and father, and that is where the government's responsibility ends. There is no mention of these things, just the ideal that a child should be born into a nuclear family and, once they are there, live happily ever after. We know, and statistics show, that it does not work that way.

How arrogant can a government be determining who should have children and who not. If this government is prepared to stand up for this legislation and say that some single women should not become pregnant, what are they going to do about other single women who do? This has always been the problem in society. As a young person growing up in the 1960s, lots of my mates would come and confide in me, saying, ‘My girlfriend is pregnant. What do I do?’ Essentially, it was pre-abortion days and no-one would have recommended that. You either got married or you did not get married. If the nuclear family is the ideal, is the government putting pressure on single girls who become pregnant to go out and get married, to get themselves a partner, because it says that the ideal is for children to be born into a nuclear family and have both a mother and father? I think the statistics show that those are the sorts of marriages that do not last. Therefore, you would have a government promoting marriage that was not secure and probably not well planned. Maybe it intends to force them to have an abortion. These are the sorts of questions that this government is sticking its head in the sand over and it is ignoring the real facts of modern life.

I guess everyone in this parliament knows single women who have reared children very successfully. They have cared for them, provided for them, loved them and given them all the physical and emotional support they needed. Yet this is a government that says that should not happen. I know fathers who have reared children because either their partner walked out and left the children or they were widowed, and they too have done a magnificent job. How does this government feel about that? I know a lesbian couple—they are professional people with two children. How the children were conceived I do not know, and it is none of my business. All I know is that those children are in a very stable, loving environment. They are cared for by both parents, and they are the delight of the whole of the community. I see the member for New England nodding his head in agreement with the Prime Minister because, according to this government, that sort of family should not exist. That they have a happy, healthy and desirable lifestyle, according to this government, has no place in our community and should not exist. This government has shown how it will react to the High Court making a decision: it will simply change the legislation. It is discrimination at its very worst. It is denial of what modern society is all about. It is denial of lifestyles that can be successful, but they are different lifestyles from those understood by the Prime Minister.

As a father, it has been a great pleasure—and I guess I could even say it has been the reason for life—for both my wife and I to have had children, to have watched them develop, to have watched them go through school, to have cared for them, to have shared their joys, to have watched their careers develop and to have loved them and to have been loved in return. I guess we are very fortunate. But I do not feel any different because we are one of those families that the Prime Minister says should be the only sort of family. That is really not the case, because there are many other people that could be standing here describing an atypical family in which the love and care was just as great. But this is a Prime Minister who says, ‘That should not exist and, if it has a chance of existing, we will change the law so that it cannot.’
The point comes down to this: who am I as an individual to judge someone and say to them, ‘Because you are different, because you are single and because you do not have a male partner and although you may be an employed person or you may be a professional person and you pay your taxes to Australia, you have fewer rights than other people.’ Is that my right? I do not think it is. Is that the right of this parliament? Is that why this parliament is here—to turn around and say to some Australian women, ‘You have fewer rights than others’? I do not believe that is why this parliament is here, and that is why the Federal Court judged the way it did, because the court did not feel it was its right either. The Federal Court’s opinion was that it was unconstitutional, and I believe the Federal Court was right. I believe that, no matter how long you look at this situation, you have to come down on the side of saying that everyone is an individual but we are all Australians and we all have the same rights. One of the great things about Australia, one of the things that we believe is an innate property of being Australian, is that we all have the same rights—and yet this legislation we are debating tonight says no.

Let us have a look at the statistics of marriage and marriage breakdown. The statistics of the ABS show that, with the progression of time, marriages are becoming less successful. In 1988, 44,000 children under 18 years were involved in a parental divorce. By 1998, this had jumped to 51,600, the rate being 10.9 per thousand. So we are talking about the ideal of children being in a nuclear family, but we know that about 11 children per thousand are not in that. If we are debating a piece of legislation that is going to mean that somewhere between 130 and 150 women have access to assisted reproductive techniques, that number is minuscule. But this government is prepared to go out on a limb to identify those people and prevent them from participating in what may be and probably would be one of the most fulfilling things of their lives. This is a government that is prepared to prejudge those people and tell them they cannot be involved in raising a family. Wasn’t this the Prime Minister that was going to govern for all of us? All of us—unless you fall into some minority group.

I started my speech essentially by saying that this is an attempt by a government to divide. I would like to follow that up by using a transcript of a doorstop interview that the Prime Minister gave in Sydney on 2 August last year. It is an interesting one, because I try to think of the thought processes involved. Question 1 by the journalist was about interest rates. Question 2 was about interest rates—actually the Reserve Bank had put the interest rate up the previous day. Question 3 was about interest rates. Question 4 was about interest rates. Question 5 was about interest rates and the GST. Question 7 was inaudible, but the answer was about the Sex Discrimination Act. It just so happened that a Labor Party conference was taking place in Hobart at the time. I just cannot understand how a logical thought process could jump from interest rates to the Sex Discrimination Act. But there is one line that I would like to quote and this comes after the ninth question:

... Will you allow a conscience vote on this for Liberal Senators?

... No, there’s no need for a conscience vote on something like this. This is not effectively a conscience issue.

This was a very dictatorial issue of the Prime Minister, because he knew how it would divide the Australian community. He knew what it would do to Australia and he felt that he would position himself favourably. Of course, we go back to August and all the media was indicating that we could expect the legislation the following week. Here it is, and today is 2 April. We have a piece of legislation that was so urgent that the Prime Minister, the Minister for Health and Aged Care and the Attorney-General were out there in the press every day saying that we had to have this piece of legislation, but we have now been waiting nine months. I suppose that is a human gestation period, and I find that interesting. We have waited that long for this piece of legislation.
Let me conclude. I found an article by Geoffrey Barker in the Financial Review on 25 August last year. It says:

If the Prime Minister is going to go down this path, there are four obvious objections to the Prime Minister’s claim that the rights of children to be raised jointly by female and male parents trump the rights of single women’s and lesbians’ access to fertility service. First, he appears to be suggesting that non-existent children have a presumptive right not to be conceived outside a two-parent, heterosexual, atomic family. At best, this is a highly abstract and unanalysed claim. Can negative rights be claimed coherently on behalf of non-existent human beings?

Second, how does reflecting his view of the ‘right’ sort of family in which to parent and raise children ... Yet, as Wood says—that is, emeritus professor Carl Wood—while unknown factors operate in parenting, it may be that the quality of loving and caring is most important, whether the parents are legally married, a de facto couple or a surrogate in association with a single mother, lesbian or single parent in a traditional marriage where the spouse has died or divorced.

Third, there is a gap between what Howard thinks ought to be the circumstances under which children should be raised and the circumstances in which many children are in fact raised. Divorce, desertion, death and other factors condemn many children to be raised in single-parent homes without security, care or love. Amending the Sex Discrimination Act will not alter this reality.

Fourth, as Wood says, to be single and/or lesbian is irrelevant to parental adequacy or outcomes. If a single woman plans a pregnancy, has money, education and assistance with parenting while working, then she is likely to cope. It is difficult for those who are poor and alone and trying to work.

They are the thoughts of a professor who was a forerunner in IVF and who has studied the whole issue. This government—essentially, I think, through its ignorance—is ignoring the rights of those people who want to use this technology and is certainly making it very hard for them. I believe that it will be condemned for it, and so it should be.

Mr St CLAIR (New England) (10.02 p.m.)—It often amazes me that there are so many people in Australia who seem intent on denigrating and destroying the traditional family unit. But what upsets me most is when I see members of parliament engaged in the same activity. We have just had a diatribe on that for 20 minutes—certainly it was not memorable. Most attempts at so-called social engineering during the last 100 years have resulted in increased levels of misery and unhappiness throughout society as a whole.

Mr Fitzgibbon—That was because of the Nationals!

Mr St CLAIR—The chardonnay intellectuals—I am getting to you, member for Hunter—so warmly embraced by the Labor Party cannot seem to understand the fact that many traditional families are quite content with that structure. They do not want you to meddle in their affairs and to carry out search and destroy missions on their happiness, just because they do not fit your ideological parameters. Probably the worst offenders within the Labor Party are the rabid feminists, who loathe any shred of male influence in any part of our lives.

Mr Tim Fischer—The member for Hunter is not one of those.

Mr St CLAIR—I am not so sure, member for Farrer. It is probably hard for the opposition to understand, but in my electorate of New England it is the women who are most disgusted by the actions of your anti-male crusaders—or whatever it is you regard yourselves as. Mind you, the tide is starting to turn. For years, fathers have had to suffer in silence as report after report came out of feminist run institutions about the negative impact of men within the family unit. I am not talking about relationships where there are genuine concerns and problems but, contrary to your propaganda on that side of the House—

Mr DEPUTY SPEAKER (Mr Nehl)—I am loath to interrupt the honourable member for New England, but the chair has no propaganda on this issue. Please address your remarks through the chair.

Mr St CLAIR—Apologies, Mr Deputy Speaker. These relationships are in the minority and most families are relatively con-
tent. I have seen recent reports that show that children benefit from the influence of a male and female parent and that some children who do not have that contact find it more difficult to interact with society as they grow older. But those reports are ignored by the chattering crusaders, in between their sips of chardonnay, because those reports do not reinforce their view of the world. They only have one view, and that view is to destroy the traditional family unit, regardless of the suffering that it will cause, and with no regard for the children in our society.

I know this is uncomfortable for some people, but the traditional family unit remains the base of our society, which is established along Christian principles. My wife, my four children and I are my immediate family, and I hold this unit more precious than anything else. That is why I get so angry and annoyed when I feel my family is under attack. I get angry when I feel my role within my family is being denigrated. The Labor Party may not cherish the family unit, but I can assure all those concerned Australians that they have a friend on this side of the chamber—a friend who will defend the family unit at all costs. However, I am aware that my opponents are equally determined. Make no mistake: these people are fanatics in the true sense of the word, and like true fanatics they will let nothing stand in their way—certainly nothing as feeble, in their view, as logic or commonsense or morality or respect for the laws of nature.

It must be terrible for some people to acknowledge that the only way to naturally conceive a child is for a male and female to have heterosexual intercourse. Conception cannot be achieved by male to male, nor can it be achieved by female to female intercourse. But I am engaging in parliamentary homophobia! In fact, I am merely stating the facts. I have no concern whatsoever that some people in our society choose to live in same sex relationships. However, I do have concerns when they attempt to overcome infertility, which is an obvious aspect of any same sex relationship, by demanding access to programs initially intended for infertile heterosexual couples, at the taxpayer’s expense.

I am even more concerned when same sex couples use the Sexual Discrimination Act to force their way into these programs. The Sex Discrimination Amendment Bill (No. 1) 2000 remedies a problem with the operation of the Sex Discrimination Act 1984 identified by the Federal Court in its decision in McBain v. The State of Victoria. In that case, the court held that Victorian legislation restricting access to assisted reproductive technology treatment to women who were married and living with their husband on a genuine domestic basis, or living with a man in a de facto relationship, was inconsistent with the Commonwealth Sex Discrimination Act, and as a consequence was invalid under section 109 of the Constitution. It is the government’s view that it was not contemplated that the Sex Discrimination Act would prevent the states legislating to restrict access to ART procedures to women who are married or living in de facto relationships. The Sex Discrimination Amendment Bill (No. 1) 2000 will amend the Sex Discrimination Act to allow the states and territories to legislate to permit restrictions to be imposed on access to any form of ART services on the basis of marital status.

The Commonwealth has limited constitutional power to legislate in this field. It is consistent with the states’ responsibilities in relation to the regulation of the provision of medical care and treatment that they be permitted to legislate in the area of ART as they consider appropriate. This issue primarily involves the right of a child within our society to have the reasonable expectation, other things being equal, of the care and affection of both a mother and a father. The amendment deals with ART services. ART services are defined to mean services using technology to assist in non-coital fertilisation. The main forms of ART include in vitro fertilisation, artificial insemination and gamete, zygote and embryo transfers. IVF involves a range of procedures aimed at achieving pregnancy where there are issues of infertility. IVF actually means that ova are fertilised outside of a woman’s body to allow the fer-
Artificial insemination involves the transfer of sperm into the reproductive tract of a woman to achieve pregnancy. Fertilisation occurs within the woman’s body. Artificial insemination is used to achieve pregnancy in women who are fertile but do not have male partners or who do not wish to become pregnant by traditional coital means; by couples where the male partner is infertile, through donor insemination; and in some cases where the woman may not be classified as infertile in the strict sense but nevertheless has been unable to become pregnant by coital means. Artificial insemination is by far the most commonly used procedure by single and lesbian women to achieve pregnancy in the absence of female infertility. IVF is generally only utilised by single and lesbian women if pregnancy has not been able to be achieved through artificial insemination.

The bill will commence upon royal assent. When the bill commences, any provisions of the Victorian and South Australian acts that have previously been ruled inconsistent with the Sex Discrimination Act will revive. The amendment will also ensure the validity of the existing Western Australian legislation. If a state or territory chooses not to legislate in this area, the Sex Discrimination Act will continue to apply. The government is acting to ensure that states and territories have the power to enact legislation to limit the availability of assisted reproductive technologies to married women and those living in a de facto relationship with a male partner. In doing so the government is doing its part to protect the rights of children to have the care and protection, other things being equal, of both their mother and father.

The problem of fertility among heterosexual couples is an issue that seems to be increasing in recent decades, but medical authorities are unsure of the causes. Infertile couples who are desperate to have children often find their inability to conceive very traumatic. Like so many other medical advances of recent times, techniques have been developed which can assist a great number of infertile couples. Births after assisted conception are continuing to increase in Australia, according to a report released in 1999 by the Australian Institute of Health and Welfare. The report showed that there were 3,458 births in Australia after assisted conception in 1997, a 9.3 per cent increase on the previous year. The director of the National Perinatal Statistics Unit, Dr Paul Lancaster, said the message that is probably of greatest interest to couples considering assisted conception is that, when all techniques of assisted conception are put together, births occurred in 15.2 per cent of treatment cycles. Another interesting finding was that about 9 per cent of assisted conception mothers were aged 40 years or more, compared with two per cent of all mothers giving birth. Similarly, about 25 per cent of assisted conception fathers were 40 or over compared with 10 per cent of all new fathers.

I would urge those on the other side to respect the family unit and support this amendment. We need to strengthen the building blocks of our society, not tear them down. We need to make families feel good about themselves, not guilty. Only then can we stride confidently into the new millennium as a strong and united nation. I commend the bill to the House.

Mrs IRWIN (Fowler) (10.15 p.m.)—As a woman in this parliament, I find it very interesting that the coalition members debating the Sex Discrimination Amendment Bill (No. 1) 2000 are all men. I think that only one coalition woman has spoken to this bill, and I find that inaction from the women on the opposite side of the chamber absolutely disgusting.

The debate on this legislation before the House this evening is one that has been going on across the country for some months now—in homes, in workplaces, in pubs and in the letters pages of our daily newspapers. It seems that everyone has an opinion on this issue. Who is right and who is wrong? As always, the answer to this question depends on your point of view, and your point of view will depend on the values that are the foundation of your opinions. That is why
discussion on religion or politics is banned in some circles. Often this is because of bitter experience. One side rarely convinces the other and the question is either settled outside or the parties agree to disagree. That does not mean that all moral questions are disputed. We have in common a central core of values that only a few people would disagree with. The mistake that the Prime Minister and this government make is that they assume that the question of access to assisted reproductive technology involves core human values, ones that cannot be violated.

There are many ethical issues involved in assisted reproductive technology, and governments have been working on these issues for some time. It is hard to see where some of these developments are leading us and what kind of brave new world we would finish up in if we were to allow this technology to proceed without considering the ethical issues involved. But you could hardly say that we have reached the *Brave New World* or *The Boys from Brazil* stage. Instead, advances in IVF treatment have brought great joy and fulfilment to a growing number of Australians who would otherwise have been childless. More than 30,000 Australian babies have been born through the IVF program. This benefit has been seen to outweigh many of the moral issues that have surrounded IVF treatment.

Despite objections from some major religious bodies, I believe that IVF treatment is widely accepted in our society. I could not imagine this government trying to ban IVF treatment. That certainly is not the objective of this legislation, although that does seem to be the position of Right to Life Australia. Their press release on this issue states:

> At heart the debate is not simply about whether single mothers and/or lesbians make suitable mothers, but about further extending the IVF program ...

Despite the protests of Right to Life, the moral issues we are dealing with here are not issues related to IVF treatment or to other assisted reproductive technology, as such. The moral issues we are dealing with relate to parenting and, in particular, fatherhood. The Attorney-General said as much when he cut to the chase in his second reading speech. He said:

> This issue primarily involves the right of a child within our society to have the reasonable expectation, other things being equal, of the care and affection of both a mother and a father.

He went on to say:

> The government is acting to ensure that states and territories have the power to enact legislation to limit the availability of assisted reproductive technologies to married women and those living in a de facto relationship with a male partner. So we are dealing with values about parenting, not values concerning the practice of assisted reproductive technology, and we are dealing with just one per cent of the number of IVF treatments each year in Australia.

The values relating to parenting and families come up in arguments which stress the so-called right of the child to have, as the Prime Minister and the Attorney-General put it, ‘the care and protection, other things being equal, of both a mother and a father’.

> There is that lovely phrase: ‘other things being equal’. Well, other things rarely are equal, and that is the reason why we have laws like the Sex Discrimination Act.

Supporters of this legislation raise the argument that a child has the right to be born into a family. They then go on to define the form of that family, based on their own values. To follow that line, you would have to state that the worst two-parent family is better than the best single-parent family, and you just cannot say that. You cannot talk in averages when you are making judgments about the lives of individuals. You cannot generalise from the whole population when you are dealing with individual cases.

We need to draw a line between what may be seen as core moral values and those values which merely reflect opinions. We need to distinguish between core values which are held by all but a few in our society and those which represent the opinions of some but by no means all members of our society. The Prime Minister seems to understand the difference between core promises and non-core promises; I hope he can make the same distinction between core values and non-core...
values. Values are important to us. They express who we are and how we see the world, but we do not all have the same set of values. We have core values in common with each other, but when we break down those values into attitudes and opinions we begin to see differences between one another. This government and many in the community fail to understand this. They assume that their values are the only ones that matter and that everyone else should fall into line with them. But values affect more than just the way we think. Values and opinions influence our attitudes to other people in our society. Where we see people as different or not conforming to our set of values, this can lead to bigotry and discrimination, even to hatred. This bigotry becomes the justification for discrimination. It is here that we should see the harm in this amending legislation, which amends the Sex Discrimination Act, no less.

What benefit does the legislation provide? According to the explanatory memorandum, the amendments are expected to have a minor and unquantifiable financial impact on government revenue—not that they would constitute a serious erosion of the Sex Discrimination Act. It is worth considering the views which have been presented on issues like this. For example, there is the argument that some taxpayers may be unwilling to have their taxes used for purposes to which they object. This argument overlooks the role of governments in distributing revenue on the basis of policies which consider the welfare of the nation as a whole and not just sectional interests. Where the objection is based on religious conviction, it conveniently overlooks the favourable tax treatment of religious institutions and places of worship.

I began by asking who is right and who is wrong in this debate but, as I have explained, when we are not dealing with a high moral principle but with what comes down to opposing views, each held by significant proportions of the population, then the answer really does not matter. We could look at who are the winners and who are the losers. Let us say, for argument’s sake, that this legislation is passed. Who wins? You could say that governments may make some minor savings in the cost of IVF treatment if even a small number are denied access to these services. Certainly those individuals and groups who seek to impose their narrow model of a family on the whole of society could claim victory. But, at the end of the day, this issue involves matters of individual conscience, not of the members of this parliament but of the men and women who make up our society.

It is interesting to note that those who have called for members and senators to exercise an individual conscience vote on this issue would then impose the outcome of that vote on the whole of society. They would be the first to deny ordinary citizens the right to act in accordance with their own conscience. This is where the winners finally lose out. While ever one Australian state allows access to assisted reproductive technology, then these services will be available in Australia. It will be costly and inconvenient to seek treatment interstate, but it will be available. It seems crazy that, in the year in which we celebrate the Centenary of Federation, this government wants to force citizens to travel from one state to another to gain access to services. If the cost and inconvenience of seeking treatment interstate is the only downside for the losers, it is a price that many are prepared to pay. As anyone who has undergone IVF treatment will tell you, it takes great courage and endurance to persevere with the program. Success is not guaranteed and there is enormous stress, pain and discomfort involved.

Those people will also tell you that the reward is worth every bit of the cost. But this government wants to deny such treatment to some people who have the courage and dedication to undergo IVF treatment on the grounds that their children would suffer from not having adequate parents. This is laughable. If you devised a test for parents that was as rigorous as that for entry into an IVF program, you would find an awful lot of parents failing the test. But this legislation enables some states to have a laughable test for people in de facto relationships who are to be judged to see if they should be allowed IVF
treatment. Any relationship which can withstand the rigours of IVF treatment does not need to meet any other test.

As I have said, there is no high moral principle involved in this amendment to the Sex Discrimination Act. If we look for any moral principle to support this legislation, we are left with the argument about the right of children to a mother and a father. Is this a core value? Is it one which all but a few in our society would agree with? Opinion polling would seem to suggest that a large proportion of society would not agree with it. So we could hardly call it a core value. Even the Right to Life organisation dismisses this argument, as I quoted earlier:

The debate is not simply about whether single mothers and/or lesbians make suitable mothers ...

What we are left with is the conclusion that this legislation is not about children’s rights, it is not based on some high moral principle—it is nothing more than a shabby exercise in wedge politics. It is clearly an attempt by the Prime Minister and this government to create an us and them type of society. On one side we have the Prime Minister and his white picket fence morality—anyone with values or a lifestyle which does not fit his mould is excluded. They can be freely criticised as dole bludgers and unmarried mothers or any number of terms of abuse that are used, and if this legislation is passed they can be discriminated against. They can be denied access to services that all others in our society are entitled to—not because of a high moral principle, but because of a narrow prejudice and because a small-minded Prime Minister wants to exploit what he sees as a political advantage. The Prime Minister wants to turn back the clock, to go back to the days when men were men and women could be discriminated against. But the Prime Minister is doomed to fail and this legislation is doomed to fail.

ADJOURNMENT

Mr SPEAKER—Order! It being 10.30 p.m., I propose the question:

That the House do now adjourn.

Environment: Kyoto Protocol

Mr MURPHY (Lowe) (10.30 p.m.)—Last Monday evening I was in this chamber expressing my grave concerns about greenhouse gas emissions and global warming and the effect this is having on our environment. The decision over the weekend by the world’s greatest polluter, the United States, to abandon the Kyoto agreement is incredibly selfish and a monumental act of environmental vandalism. President George W. Bush has decided that the devastating effects of global warming are not an important enough issue for the US to do anything that would upset the US economy. Climate change in the form of increased temperatures, rising sea levels and the frequency of extreme droughts and floods do not interest the smokestack businessmen that now dictate and donate to the Republican Party led by an oil businessman, George W. Bush. Most appalling is the fact that George W. Bush’s cabinet is stacked with oil, lead and aluminium business executives who are only motivated by the economic imperatives.

The Kyoto agreement was going to be an historic step towards a global solution to greenhouse gas emissions. The United States would have been required to cut carbon dioxide emissions by five per cent by 2012. For an economy in such a pre-eminent position, it would have been a relatively small price to pay in the name of true world leadership. What a tragedy for United States—and indeed the world—that the former US Vice President and Democratic presidential candidate in last year’s US election, Al Gore, was robbed of the presidency. Let me take a moment to read a short article written by Al Gore and published in a special issue of Time magazine in November 1997. This article titled ‘Respect the land’ demonstrates that Al Gore truly understood the importance of taking care of our precious planet. Al Gore said:

When we consider a subject as sweeping as the environment, we often focus on its most tangible aspects—the air we breathe, the water we drink, the food we put on the table. Those things are critically important. But to me the environment is also about something less tangible, though no less
important. It is about our sense of community—the obligation we have to each other, and to future generations, to safeguard God’s earth. It is about our sense of responsibility, and the realisation that natural beauty and resources that took millions of years to develop could be damaged and depleted in a matter of decades.

These are values I learned first-hand, as the young boy on my family farm in Carthage, Tennessee. We didn’t call it environmentalism back then; it was simply commonsense. My earliest environmental lessons came from our efforts to prevent soil erosion—by stopping the formation of gullies that would wash away the vital topsoil on which our farm depended. For a time, some large farmers who leased their land for short-term profits didn’t worry about soil erosion; that’s one of the reasons more than three hectares of prime topsoil floats past Memphis every hour, washed away for good.

As a teenager, I learned that such short-term thinking was causing even more serious problems. One of the books that we discussed around our family table was Rachel Carson’s classic Silent Spring, about pesticide abuse. As it did for millions around the world, Carson’s book helped awaken in me an understanding that our planet’s life is too precious to squander.

Today, the threats to our environment are even closer to see—and much greater in scope and number. We live in a world where climate change, deforestation, holes in the ozone layer and air pollution are growing sources of concern. Our challenge is to find new ways to address those problems by reaching back to our oldest values of community and responsibility—by inspiring a greater respect for the land of the resources we share—even as economies and societies advance and develop around the world.

Fortunately, as I have raised a family of my own, I have learned that we have millions of powerful allies in this cause: our children. It is often children who remind their parents to recycle their cans, or to bundle their newspapers. It is often children who remind their parents of the simple miracles of nature—the crops that come from our farms, the parks and lakes and campsites where families and communities gather.

If we are to protect and preserve our environment on a global scale, we all must do our part, as nations, as families and as individuals. The need for awareness has never been greater, and the opportunity for us to make a difference is just as great. If we practice and teach the right kind of caring commitment for our environment, it will continue not only to bring us its natural gifts, but also to bring us together.

Al Gore is right. With the mixed messages coming from the Howard government through the media today about George W. Bush’s decision to abandon the environment, I call on the Howard government to show leadership on this issue, like Al Gore, and stand with our powerful allies in this cause: our children.

**Diesel Fuel: Excise Reduction**

Mr WAKELIN (Grey) (10.35 p.m.)—Tonight I bring to the House’s attention the circumstances of a constituent and his family at a small enterprise about 500 kilometres north of Adelaide at Angorichina Tourist Village. David Scicluna runs the Angorichina Tourist Village. He caters for many buses, with a focus on overseas and domestic tourism. The Angorichina Tourist Village is in the Flinders Ranges on the Parachilna Road, between Parachilna and Blinman. The issue I raise relates to the diesel fuel excise. David uses about 40,000 litres of diesel a year to provide the power required to run his enterprise which requires 24-hour power.

He runs the diesel generator until about 1 o’clock in the morning and then has a separate wiring system and a bank of batteries, which he has just invested in, which gives that 24-hour power service. If David were on the normal domestic electricity grid, that power would cost him around $10,000 per annum. For the last two decades at least, under the Labor government and in the early years of the coalition government, David would have been paying—certainly in the last decade—$10,000 to $15,000 per annum in excise. His excise bill alone is equal to what most people would expect to pay for their total power bill for such a small business.

David’s costs are around $60,000 per year. That includes diesel, the battery bank, repairs and maintenance of his generator sets and repairs and maintenance on his gas freezers. I think that establishes the case that here we have a very viable, thriving small business which employs one person who is subjected to this unfair excise imposition. Let us com-
pare it to the excise input on the sources of energy and all other electricity generated in Australia. There is no input energy tax on coal, gas, water or wind, yet there is a tax on diesel in these circumstances. Therefore, I would be very keen to see the government consider this. Let us remind the House of what the Howard-Anderson government brought to the last election. They wanted to bring separate rebate arrangements and said:

... we will continue to provide relief from excise for certain private, off-road use of diesel, such as remote power generation including generators not currently eligible.

Clearly, the intention of the new tax system was to exempt David from this imposition, but, in the negotiations with the Democrats, that was pushed to one side. Here we have one small business in the Flinders Ranges paying as much in tax on his fuel as would be the total cost normally for a business in the city or anyone else connected to the grid. I ask the government, in developing policy for the next election, to acknowledge the enterprise of individuals like David Scicluna and his family who are working in a sustainable and growing industry.

**Tobacco Industry**

Ms JANN McFARLANE (Stirling) (10.39 p.m.)—The health effects of smoking on our society are well documented. The Australian Council on Smoking and Health has estimated that deaths caused by smoking related diseases will claim the lives of over 18,000 people this year. Governments in Australia have worked hard over the past 15 years to combat the evils of smoking. We have bans on cigarette advertising. We have warning messages on cigarettes and other tobacco products, and the Quit campaigns run throughout Australia have been very effective. In my home state of Western Australia there are bans on smoking in workplaces. Pubs and restaurants are exempted, though they have to provide non-smoking areas. Recently, through the great work of the Australian Liquor, Hospitality and Miscellaneous Workers Union, employees at the Burswood Casino have won the right to work in a smoke-free environment. The social and health costs of passive smoking on employees, especially those in the hospitality industry, over the years are yet to be fully measured.

My mother, who was a barmaid and a cook for 60 years, developed respiratory disease and paid the price with a painful and shortened life. An important issue from a health perspective is the effect of tobacco smuggling on our attempts to control smoking. Australia is relatively lucky. Tobacco smuggling is largely restricted to chop chop. Chop chop is cheap tobacco that is sold illegally in delicatessens, pubs and the backs of cars. Essentially, it is tobacco in clear plastic bags and is extremely cheap, as the dishonest people selling it do not pay the government any tax on it. However, the sale of illegal tobacco in Asia and the rest of the world is an organised and highly profitable industry. For example, in East Timor you can buy a carton of Marlboro cigarettes for the price of a packet in Australia.

I would like to draw the attention of the House to a report entitled ‘Tobacco companies linked to criminal organisations in lucrative cigarette smuggling’ by the International Consortium of Investigative Journalists. One of the journalists who wrote this report is Bill Birnbauer, a journalist at the Age newspaper in Melbourne. I seek leave to table this report.

Leave granted.

Ms JANN McFARLANE—The allegations in this report are extremely interesting. Unfortunately, I do not have time to go into great detail. However, I will give a brief outline of the content. Basically the report alleges that the major tobacco companies have been engaging in the sale of black market cigarettes. These are commonly described in the industry as ‘duty not paid, parallel markets, general trade or transit’. The report states:

It is estimated that about one in every three cigarettes exported worldwide is sold on the black market.

The report reads like something out of a James Bond novel. It includes the US Mafia, triads and Sicilian crime families. The report also alleges that British American Tobacco
PLC is involved in this sale of black market cigarettes. I must admit that I initially viewed this report with some scepticism. However, I also did some further research. For those who are interested in this very topical issue, there is some excellent information on general smoking issues and the tobacco smuggling story particularly on the web. This web site is run by an organisation called ASH—Action on Smoking and Health. The web address for this site is www.ash.org.au. On this site amongst the huge list of documents on tobacco smuggling are two interesting pieces of information. The first is a press release by the Secretary of State for Trade and Industry in the UK, Stephen Byers. In this press release he announces the British government’s response to the findings of the Health Select Committee report on the tobacco industry. This response includes the appointment of investigators to look into allegations that British American PLC was implicated in smuggling. The second is the details of a civil case with the European Community, on behalf of its member nations, the plaintiff in a racketeering case against RJR Nabisco Inc. This case is in the US District Court and centres on cigarette smuggling.

Why have I brought this to the attention of the House? British American Tobacco PLC, which is the subject of the investigation of the British Department of Trade and Industry, has recently been engaged in purchasing the remainder of British American Tobacco Australasia—BATA—in a $1.1 billion mop-up deal. The chairman of BATA prior to the offer and the architect of the deal was Mr Nick Greiner, the former chairman of W.D. & H.O. Wills which merged with Rothmans Holdings Ltd to form BATA. The chairman and company may not have been aware, before the merger, of the shadow on BATA’s reputation in relation to cigarette smuggling. We need to watch with interest for the result of the British departmental investigation and the result of the European Community’s court case. An adverse finding in either of these against British American Tobacco PLC will raise questions regarding the company’s corporate citizenship. This is extremely important now that British American Tobacco Australasia is almost wholly controlled by it. Tobacco smugglers circumvent government controls over the sale of tobacco. (Time expired)

Menzies Electorate: Persian New Year

Mr ANDREWS (Menzies) (10.44 p.m.)—I wish to acknowledge tonight the recent celebration of the Persian New Year by the Iranian community in Australia. This new year festival is traditionally celebrated with a festival of fire. I acknowledge the celebration tonight because many of the Iranian community in Melbourne live in the electorate of Menzies. About a thousand people attended the traditional celebration called the Charhar Shanbeh Soori or Festival of Fire at the Doncaster Municipal Park on 13 March. Nowrooz, which means ‘a new day’ in the Farsi language, is part of the traditional celebrations of the Iranian people. Nowrooz comes from the Zoroastrian religion—the traditional religion of old Persia—and includes the worship of fire which continues to be part of the modern Nowrooz celebrations.

The House may be interested to know that the Zoroastrians of Iran were originally members of the Indo-European family known as the Aryans. They called themselves Zoroastrians because they believed in the teachings of the first Aryan prophet, Zarathushtra. According to their doctrines, Zarathushtra, who was born in Iran about 8,000 years before Christ, was the first prophet to preach a monotheistic religion. He revealed that there was only one God, Ahura Mazda, and that life in the physical world was a battle between good and evil. As per man’s actions, he would either cross the Chinvato Peretu or the sword bridge after death and reach Heaven or fall from it and go to the abode of the evil one. In the final days, there would be a battle between good and evil in which evil would be vanquished and the world would be purified by a bath of molten metal. Mazda would then judge the world, resurrect the dead and establish his kingdom on earth. From that very brief description, you can see that there are great similarities between Zoroastrian religion and
other great religions of the world, namely, Judaism and Christianity.

The new year festival of the Iranian people was celebrated on 21 March, after which there was a period of 13 days. On the 13th day there is another celebration by the community in which they go out into nature and throw grains like wheat or barley into a river or flowing water, which symbolises for them the cycle of nature. This festival occurred last Sunday, with a marvellous celebration in Finns Reserve in Manningham where, again, there were about a thousand people from the Iranian community in Melbourne enjoying the beautiful weather. This is a small community. There are only about 30,000 Iranians in Australia, with about 7,000 in Victoria and most of them living in Melbourne. It is a small community. They are a very proud and a very educated people by the standards of migrants to Australia. The unemployment rate amongst people in the Iranian community is quite low compared with others from ethnic backgrounds.

It is a great celebration for them on this day and an occasion that should be remarked upon in the House of Representatives. I take this opportunity to note the recent festivities and to congratulate Mostafa Abedi Tani and other members of the Iranian society in Victoria for the way in which they continue to contribute not only to the community in Menzies but to Australian society generally.

Ultranationalism

Mr LATHAM (Werriwa) (10.49 p.m.)—If there is one emotion which overrides a sense of logic and rationality, it is ultranationalism. It blinds people to the facts and the tools of analysis. Take, for example, this headline in Saturday’s Sydney Morning Herald: ‘Global warning: we have entered an age of giga corporations, huge global companies with more economic power than most companies’. How does the Herald reach this conclusion? It takes the market capitalisation of the world’s leading companies and compares it with the market capitalisation of domestic equities on national stock markets. This is of course an absurd comparison. It simply proves that in most cases global capital is larger than national capital. It is a bit like proving that Woolworths is larger than the local corner store. This type of reporting also perpetuates the myth that national power is synonymous with the size of national stock markets. Companies, whether national or global, are run in the interests of profits and shareholders, not necessarily in the public or national interest. Economic power is vested in the hands of corporate bosses rather than in the Australian nation. Take the example of the current controversy about Woodside and Shell. As a matter of competition policy there appear to be good reasons to block the takeover bid. As a matter of national sovereignty, however, the Woodside argument is absurd. Woodside is controlled by a small number of corporate bosses on its board in Perth. People in my electorate, like people in most parts of the country, exercise absolutely no sovereignty or control over this company and its resources.

The distinction between global and national capital is one of the great con jobs in Australian public life. It normally involves attempts by domestic capitalists to shield themselves from market competition, the very rationale and logic of capitalism itself. I have always expected right-wing politicians to fall for this strategy; they love cutting sweetheart deals at the top end of town. Why, however, some on the Left fall for the ultranationalist argument remains a mystery. Why should we make life cosier for corporations with subsidies and protection paid for by working-class consumers and taxpayers? I have always believed in making capital compete, in making these characters earn their keep, whether they come from Australia or overseas. A capitalist is a capitalist is a capitalist and should be treated accordingly by a Labor government. They should be made to compete against each other.

The real expression of Australia’s national sovereignty now lies in the skills and insights of our people. Of course, every dollar of public money spent on industry welfare and protection is a dollar which cannot be spent on education and training. I am highly sceptical about these ultranationalist campaigns. The Big Kev commercials on television, for
instance, involve the commercial exploitation of the Australian flag for private financial gain. Such a practice should be prohibited. Just as it is wrong to abuse the flag in political protests, I believe that it is wrong to abuse the flag through shonky commercialism.

One of the fascinating aspects of the campaign against globalisation involves the personal circumstances of the ultranationalists from all parts of the political spectrum. The campaign is being led by a group of disaffected millionaires. The media are full of them. From the Left of politics, there are the likes of Phillip Adams and Bob Ellis; from the Right, Pauline Hanson, Dick Smith and even Malcolm Fraser. This is a distinctly elite movement, the revolt of a unique group in our society—those who privately enjoy the comforts of capitalism, yet publicly voice its discontent. Of course, this unholy alliance of the extreme Left and extreme Right can afford to be disaffected. They have made their money from business ventures, property investments and highly paid roles in the media. The last thing they want is global competition—competition against their businesses and competition against their privileged positions in the arts industry. The financial motives underpinning cultural protectionism should never be underestimated.

Nor should we underestimate the damage caused to the tolerance and success of our society by ultranationalism. Economic nationalism and social racism are two sides of the same coin. Both encourage Australians to think poorly of people overseas, setting our interests against theirs. In fact, the real conflict of interest is between corporations. I say let them compete according to the ethos of market capitalism, within nations and across nations. In its final form, ultranationalism is just a smokescreen for the protection of vested financial interests. In practice, nothing could be further removed from a true understanding of Australia’s national interests.

**Youth Suicide**

Mr BARTLETT (Macquarie) (10.54 p.m.)—Sadly, the pain of suicide is touching an increasing number of families. The death of a young person is always a tragedy. When it is self-inflicted, the impact on family and friends is even more devastating—the immense sense of loss, the questions and confusion, the feelings of guilt. Many factors contribute to youth suicide, and I do not pretend to understand them—depression, alienation, alcohol and drugs, lack of hope, family crisis and broken relationships. Many, of course, suffer these problems; some, tragically, succumb to the despair that says that it is not worth continuing. Sadly, an increasing number of people are falling victim to suicide in Australia—some 2,500 a year, one of the highest rates in the world, a rate that is increasingly alarming, especially amongst young people.

One of my constituents, a young man in my electorate who has experienced the loss of a close friend to youth suicide, is trying to do something about it. On 8 April, just next week, Ben Carey is setting out to cycle around Australia under the auspices of Suicide Prevention Australia. Ben’s aims are twofold: firstly, to raise awareness of the problem and to convey the message that suicide is preventable; and, secondly, to raise funds to help support the work of Suicide Prevention Australia. Ben’s message is simple: suicide is preventable. I would like to read a small piece from the letter that Ben Carey has sent around to people asking for support. Ben Carey says:

My name is Benjamin Carey. I have been alive for 23 years. My very close friend was not so fortunate. On the 4th April 1998 he tragically ended his own life. Ever since then I have been searching for a way in which I could make a significant contribution towards the prevention of suicide. It was not the first time that I was affected by suicide, yet it was definitely the most significant. It had an enormous effect on me personally as well as my extended family. Why did this happen? How could he have been so sad? Why didn’t we prevent this? If only we did more.
Ben’s ‘Cycle for Life’, which starts next Sunday from the town hall in Sydney, will be a journey of almost 22,000 kilometres, heading north and travelling around the outside of Australia—around the coastal roads and highways of Australia. His cycle ride starts at 12.30 p.m. and will take 365 days, averaging some 60 kilometres a day. Any help which can be given to Ben Carey would be greatly welcomed. He is seeking financial support that will help him in his trip. The proceeds will go to Suicide Prevention Australia. He is also seeking speaking opportunities in schools and community groups as he travels through different parts of Australia to raise awareness of this problem. Support can be offered by contacting Suicide Prevention Australia. I commend Ben Carey for his determination to do what he can to address the scourge of suicide and to provide a message of hope. I wish him well in his endeavours.

Tierney, Mrs Daisy

Mr FITZGIBBON (Hunter) (10.58 p.m.)—Last Monday, 26 March, a long-term—in fact, lifelong—Singleton resident, Daisy Tierney, turned 104. She was born on 26 March 1897. I know you would agree, Mr Speaker, that that is a great innings and a great achievement for anyone. Last Friday I had the great pleasure of presenting Daisy Tierney with one of those special certificates that the Centenary of Federation Committee has struck in honour of those who turn 100 years of age or more in this the year of our centenary. It was a great honour, and tonight I want to mention Daisy in the Australian parliament and once again extend my best wishes and, I am sure, the best wishes of the Australian parliament.

Mr SPEAKER—Before I put the question, I am sure the parliament would be happy to be identified with the sentiments expressed by the member for Hunter.

Question resolved in the affirmative.

House adjourned at 10.59 p.m.
QUESTIONS ON NOTICE

The following answers to questions were circulated:

**Goods and Services Tax: Price Exploitation Code**

(Question No. 2140)

Mr Fitzgibbon asked the Treasurer, upon notice, on 8 November 2000:
Mr Fitzgibbon Has his attention been drawn to claims that paragraph (2)(c)(iii) of section 75AU of the Trade Practices Act significantly reduces the prospects of a successful action against GST price exploitation; if so, what is the Government’s reaction to the claims.

Mr Costello—The answer to the honourable member’s question is as follows:
The Government introduced the Price Exploitation Code to prevent the possibility of consumer exploitation and excessive profit taking in the transition to the New Tax System. In drafting the Code, the Government was keen to ensure that it operated in a fair and just manner, affording affected parties the opportunity to justify legitimate pricing decisions. In particular, the Government was conscious of the range of factors that influence the pricing decisions of a business. For that reason, paragraph (2)(c) specifically allows a Court to consider any matter relevant to determining the price for supply in assessing whether there has been any price exploitation.

On 20 October 2000, the ACCC released a report on the outcome of its latest survey of price movements of commonly purchased household items since the introduction of the GST. The survey confirms there is no evidence of widespread opportunistic pricing intended to raise margins immediately after the tax changes. In the relatively small number of cases where the ACCC has had concerns, these have generally been addressed by the business taking action to resolve the matter, such as by offering suitable compensation to affected customers.

**Australia Post: Lord Howe Island**

(Question No. 2322)

Mr Kelvin Thomson asked the Minister representing the Minister for Communications, Information Technology and the Arts, upon notice, on 6 February 2001:

(1) Has his attention been drawn to the December 2000 issue of Major Mail Users, the mail industry magazine.

(2) Did Australia Post go to the Australian Competition and Consumer Commission to try to prevent a home delivery mail service being privately established on Lord Howe Island.

(3) Is it a fact that Australia Post does not provide a home delivery service for mail or parcels on Lord Howe Island, meaning the island’s residents have to collect their mail from the post office.

(4) Is the purpose of Australia Post’s letter delivery monopoly and associated community service obligation to endeavour to ensure that a home delivery service is provided to as many Australian homes as possible.

(5) If so, what is the point of Australia Post seeking to enforce its monopoly power to provide a service which it is itself unwilling or unable to provide.

Mr McGauran—The answer to the honourable member’s question based on advice received from Australia Post is as follows:

(1) Yes. The Minister’s attention has been drawn to the December 2000 issue of Major Mail Users, and in particular the article on Lord Howe Island.

(2) No. The article in question contained a number of serious errors of fact that the Chief Executive Officer of Major Mail Users of Australia Ltd has since acknowledged publicly.

(3) and (4) Consistent with its concurrent community service and commercial obligations, Australia Post’s objective is to provide mail delivery services to residences, places of work or other conveniently located places in ways that meet the reasonable needs of the community at reasonable cost. In small communities, such as Lord Howe Island, delivery is often provided at the local postal outlet either over the counter or via a private box.

(5) Australia Post did not seek to enforce its monopoly power as claimed.
Vietnam Veterans: Conflict Service Records
(Question No. 2334)

Mr Latham asked the Minister for Veterans’ Affairs, upon notice, on 6 February 2001:

(1) Further to the answer to question No. 1160 (Hansard, 28 June 2000, page 18561), where a person claims a disability pension or service pension from his Department (DVA), does the claim form ask the claimant to indicate dates of service in Australia’s armed services; if so, is this information then recorded for each claimant on the DVA claim, rejection or payment record.

(2) If so, are dates of service and the data of service record used to present data in Tables 10 to 14 in the regularly issued DVA publication, DVA Pensioner Summary.

(3) If so, why is it not possible to also present information about claims, grants and rejections for disability pensioners by conflict.

(4) Where a person lodges an appeal with the Veterans’ Review Board (VRB) in respect of a decision made by the DVA about a disability pension, does the VRB system that monitors the details of each appellant record for each claimant the dates of service in Australia’s armed services; if so, why is it not possible to present the number of veterans’ disability pension appeals and the results of such appeals by conflict.

Mr Bruce Scott—The answer to the honourable member’s question is as follows:

(1) Yes, the claim form does ask the claimant to indicate dates of service in Australia’s armed services. This information is then recorded for each claimant on the DVA record.

(2 and 3) Dates of service are not used to present data in tables 10 to 14 in the DVA Pensioner Summary. The Summary uses information based upon the file prefix, which in turn is generated by the period of service giving rise to the veteran’s initial claim. Hence a Korean War Veteran, with a pension payable in respect of that service, might subsequently have served in Vietnam. However his file prefix would remain that of a Korean Veteran and he would be included as such in the DVA Pensioner Summary. As a consequence, the conflict data in the DVA Pensioner Summary, while generally indicative, is therefore incomplete. A caveat to this effect will be included in its future publications. Complete information about claims by conflict could only be extracted by intensive manual effort. While reliable information derived from the Compensation Claims Processing System (CCPS) is available on acceptance rate by conflict served for disabilities determined between 1995/96 and 1999/2000, unfortunately reliable figures are not available for 1994/95, the year in which CCPS was progressively introduced, or for previous years.

(4) The VRB system does contain some of the dates of service in Australia’s armed services for each appellant. However it is not recorded in such a way to be reported reliably as acceptance rates by conflicts.

Wood and Paper Industry Strategy: Funding
(Question No. 2338)

Mr Laurie Ferguson asked the Minister for Forestry and Conservation, upon notice, on 7 February 2001:

For each year from 1995-96, what was the level of funding provided by the Minister’s portfolio for elements of the 1995 Wood and Paper Industry Strategy, including:

(a) innovation and research and development activities of the Forest and Wood Products Research and Development Corporation and the Industry Research and Development Board

(b) AusIndustry enterprise development assistance.

(c) research and improved access to information on plantation resources and wood markets.

(d) Farm Forestry Program.

(e) North Queensland Community Rainforest Reafforestation Program.

(f) development of sustainability criteria and indicators under the Montreal process.

(g) funding and secretariat support for the Wood and Paper Industry Council.

Mr Tuckey—The answer to the honourable member’s question is as follows:
The funding provided under the 1995 Wood and Paper Industry Strategy for elements administered through the Department of Agriculture, Fisheries and Forestry (formerly the Department of Primary Industries and Energy) are:

(a) $2.55 million for Research and Development data collection and analysis (to the Forest and Wood Products Research and Development Corporation);
(b) none from the AFFA portfolio;
(c) $0.70 million for research and improved access to information on plantation resources and wood markets;
(d) $17.15 million for the Farm Forestry Program;
(e) $2.00 million for the North Queensland Community Rainforest Reforestation Program included in (d) above;
(f) $3.71 million for development of sustainability criteria and indicators; and
(g) none from this portfolio.

Detention Centres: Swedish Model
(Question No. 2359)

Dr Theophanous asked the Minister for Immigration and Multicultural Affairs, upon notice, on 8 February 2001:

(1) Has he made statements rejecting an alternative approach to detention, known as the Swedish Model, before a full evaluation could be made of this model; if so, why.
(2) Are his decisions based on the assumed high cost of the Swedish Model; if so, what was the (a) advice he received as to the likely cost of importing the Swedish Model to Australia and (b) basis of this assessment.
(3) Will he table in Parliament all documents in his possession relating to the costs of the operation of the model in Sweden.

Mr Ruddock—The answer to the honourable member’s question is as follows:

(1) On 27 February 2001, I announced in the House that I intend to conduct a small-scale trial, based on voluntary participation, of alternate detention arrangements for women and children asylum seekers. While the features of the trial do not match exactly those of the so-called Swedish model of detention, the features of the Swedish model were considered when the new arrangements were being developed. The full Swedish model is not directly applicable to Australia.

(2)(a) and (b) The only document containing a figure and which my Department has in regard to the cost of detaining asylum seekers in Sweden is in a paper handed to me during my visit there in January and prepared by the Australian Embassy in Sweden. The entire reference to costs in that paper is: “3187 persons were taken into custody in 2000, among whom were 238 children. It is estimated the total cost per detainee in Sweden last year was $122,000.”

(3) Apart from that reference, I was advised by local officials when I visited Sweden on 17 January 2001, that the cost to the Swedish Government per annum of maintaining their current asylum system is in the order of US$1 billion.

Australia Post: Delivery of Non-Postal Items
(Question No. 2365)

Mr Andren asked the Minister representing the Minister for Communications, Information Technology and the Arts, upon notice, on 8 February 2001:

(1) Is the Minister aware that Australia Post mail contractors on at least two mail runs to outlying residents in the electoral division of Calare have ceased to deliver newspapers to customers, citing complications with the GST, the Pay As You Go Tax System and requirements of contractual arrangements with Australia Post as the reasons for the cessation of the additional service; if so, what is the Government’s view about this diminution of what many rural residents have come to rely upon as a basic service; if not, have similar concerns been raised with the Minister about other mail runs.
(2) What practical steps will the Government take to ensure newspapers are again delivered to residents on mail runs who no longer receive them, apparently due to the administrative burden to contractors of the New Tax System.

(3) Will the Government consider altering Australia Post’s tender requirements to give preference to tenderers who would endeavour to deliver newspapers and other items; if not, why not.

Mr McGauran—The answer to the honourable member’s question based on advice received from Australia Post is as follows:

(1) There has been no obligation imposed on Australia Post by the Government or preceding Governments to deliver newspapers. Australia Post’s obligations extend only to the delivery of standard letter articles.

Many roadside mail contractors enter into separate business arrangements with local newsagents to carry and deliver newspapers to residents on their mail runs.

Australia Post is aware of one instance in the electorate of Calare where a mail contractor advised the newsagent that he did not wish to continue previous arrangements for newspaper delivery. Approximately 28 households were affected.

(2) Australia Post does not have a monopoly on the delivery of newspapers. This service could be provided by anyone. It is not appropriate, therefore, to require Australia Post to do so.

(3) As a commercial enterprise, Australia Post manages its own tenders and contract arrangements.

While the carriage of newspapers does not form part of Australia Post’s roadside mail delivery contract, Australia Post does advise prospective new tenderers that there is an expectation that any prior arrangement will continue.

Australia Post does not, however, believe that it would be appropriate to give general preference to tenderers who would endeavour to deliver newspapers and other items, as this could adversely impact on the viability of existing freight or passenger services within the community.

Australia Post: St Kilda West Post Office
(Question No. 2369)

Mr Danby asked the Minister representing the Minister for Communications, Information Technology and the Arts, upon notice, on 26 February 2001:

(1) How long was the St Kilda West Post Office in Fitzroy Street, St Kilda vacant after Australia Post left the premises.

(2) Did Australia Post pay rent for the premises for the entire period it was vacant.

(3) What was the commercial rent forgone by the Commonwealth during the period while the St Kilda West Post Office was abandoned.

(4) Why was the building not sublet during the period.

Mr McGauran—The answer to the honourable member’s question based on advice received from Australia Post is as follows:

(1) Australia Post sold the St Kilda West Post Office property for $741,000 in December 1990 under a 10-year sale and leaseback arrangement that expired in December 2000.

The St Kilda West Post Office has been vacant since 1 January 1998.

(2) Australia Post paid rent for the full 10-year period. However, it negotiated a 35% rental reduction for the period April to December 2000 so the owner could have access to the property for inspection by prospective tenants.

(3) The rent paid for the period 1 January 1998 to 18 December 2000 was $170,323.00.

(4) Australia Post engaged a real estate agent in December 1997 to sub-let the property. All offers to sub-let were submitted to the owner for approval as required under the terms of the lease. The owner rejected all offers on the basis that significant capital work was required to convert the premises to an alternative use.
Goods and Services Tax: Centrelink Payments
(Question No. 2370)

Mr Mossfield asked the Minister representing the Minister for Family and Community Services, upon notice, on 26 February 2001:

(1) Was the notional weekly income amount used to calculate compensation preclusion periods from Centrelink payments increased as a result of the Government’s GST compensation package.

(2) Was the new amount not applied to cases where the compensation preclusion period began before 1 July 2000 and thus any person in this situation was not fully compensated for the GST.

(3) If the new figure was to be applied to the post 1 July 2000 portion of the compensation preclusion period, would the length of any such preclusion be greatly reduced.

(4) How many recipients of Centrelink payments have compensation preclusion periods that span the introduction of the GST.

(5) What is the average length of compensation preclusion period for these cases.

(6) What would be the average compensation preclusion period if the new, higher, figure was to be applied to the post 1 July 2000 portion of the preclusion period.

(7) Will the Minister introduce legislation to extend GST compensation to people whose compensation preclusion period spans the introduction of the GST.

Mr Anthony—The Minister for Family and Community Services has provided the following answer to the honourable member’s question:

(1) Yes. Immediately prior to 1 July 2000 the ‘income cut-out’ amount was $428.40 per week. From 1 July 2000 the ‘income cut-out’ amount increased to $543.63 per week as a result of the package of measures implemented under the government’s new tax system.

(2) Since 20 March 1997, the formula used to calculate a compensation preclusion period has been based on the amount (applying at the point in time that the person receives the compensation lump sum) that a single person can earn before a social security pension is cut-out. The formula did not change from 1 July 2001 but the amount calculated under the formula changed as a consequence of changes to the income free area and the taper rate. The new amount only applies to compensation lump sums received on or after 1 July 2000. If people receiving compensation are in financial hardship, the Social Security Act provides for some or all of a compensation payment to be disregarded. This means that preclusion periods can be reduced or negated where special circumstances exist.

(3) The Social Security Act 1991 does not provide for a compensation preclusion period to be divided into pre and post GST portions. The new ‘income cut-out’ amount cannot be applied to compensation lump sums received before 1 July 2000.

(4) 24,311.

(5) 291 weeks.

(6) This information is not currently available. It would require an exhaustive, manual examination of more than 24,000 files with a significant resource impost on Centrelink and cannot be justified.

(7) No, for the reasons given above.

Australian Public Service: Superannuation
(Question No. 2380)

Mr Murphy asked the Minister for Finance and Administration, upon notice, on 28 February 2001:

(1) Does the unfunded component of the Commonwealth Superannuation Scheme and the Public Sector Superannuation Schemes (CSS/PSS) trust funds equal approximately $46 billion; if not, what sum does it represent.
In relation to the unfunded component of the CSS/PSS trust funds, is he able to say (a) where the unfunded component is held, (b) what sum per annum is placed in the CSS/PSS trust fund, (c) what is the interest on the monies placed in this fund each year, (d) is this money re-invested, (e) what sum is currently held in the funds, (f) what is the interest on the money currently held in the funds and (g) are the funds placed per quarter, half-yearly or annually.

What are the names of the trustees of the CSS/PSS trust funds.

Can he briefly describe the responsibilities of the trustees of the CSS/PSS trust funds.

Mr Fahey—The answer to the honourable member’s question is as follows

The unfunded liability for both schemes was estimated at $46 billion as at 30 June 1999 in the Long Term Cost Report for the Commonwealth Superannuation Scheme (CSS) and the Public Sector Superannuation Scheme (PSS) that was published in June 2000.

Unfunded liability represents superannuation benefits accrued by members for which the Commonwealth holds no assets. The unfunded component of CSS and PSS benefits, which the $46 billion unfunded liability represents, will be paid from the Consolidated Revenue Fund as those benefits become payable.

The trustees of the CSS and PSS are the CSS and PSS Boards. The members of the PSS Board are currently Mr Peter Reynolds, Ms Cathy Manolios, Mr John Flitcroft, Ms Louise McBride and Ms Winsome Hall. The members of the CSS Board comprise the members of the PSS Board plus Ms Joy Palmer and Mr Richard Balderstone. The positions on the Boards are all part-time positions.

The functions of the CSS Board are prescribed by section 27C of the Superannuation Act 1976 (the 1976 Act).

The functions of the PSS Board are prescribed by section 22 of the Superannuation Act 1990, (the 1990 Act) which provides that the functions and powers of the Board are set out in the PSS Trust Deed (clause 3.1).

Reconciliation and Aboriginal and Torres Strait Islander Affairs Portfolio: Procurement Policies

Mr Sidebottom asked the Minister for Reconciliation and Aboriginal and Torres Strait Islander Affairs, upon notice, on 1 March 2001:

(1) Is the Minister’s Department, or are agencies within the portfolio, large purchasers or consumers of office papers.

(2) How are Commonwealth procurement guidelines being adhered to by the Minister’s Department and agencies within the portfolio.

(3) What methodology or weighting criteria does the Minister’s Department and agencies use to determine the importance of the core principles which underpin the procurement guidelines, namely (a) value for money, (b) open and effective competition, (c) ethics and fair dealing, (d) accountability and reporting, (e) national competitiveness and industry development and (f) support for other Commonwealth policies.

(4) What weighting criteria are used to implement the mandatory provisions in the guidelines which state that agencies must be able to demonstrate that Australia New Zealand (ANZ) suppliers have had a fair opportunity to compete.

(5) In inviting suppliers to tender for the provision of goods, are suppliers advised that they must offer ANZ goods.

(6) If the Minister’s Department or agencies within the portfolio do not have weighting criteria for determining the principles, will the Minister take steps to ensure that they provide an appropriate means to demonstrate their compliance with Commonwealth procurement policy.

Mr Ruddock—The answer to the honourable member’s question is as follows:

Aboriginal and Torres Strait Islander Commission

(1) The Commission is a large purchaser of office paper. The Commission has a joint contract with the Department of Health and Aged Care for many paper products.
(2) The Commission is covered by the Commonwealth Authorities and Companies (CAC) legislation, and is therefore not required to adhere to the Commonwealth Procurement Guidelines, however has elected to mirror Commonwealth procurement policy and principles that are mandatory for Departments and agencies operating on the Commonwealth Public Account.

(3) The Commission’s current Procurement Guidelines have the following core principles which underpin the procurement guidelines, namely (a) value for money, (b) open and effective competition, (c) fair dealing and planning, (d) Code of Ethics for Procurement (e) support for other government policies.

Under the Commission’s revised Procurement Guidelines value for money would remain as the core policy goal for Commission procurement. The supporting principles would be efficiency and effectiveness, accountability and transparency, ethics, industry development and support for other government policies.

Consistent with ATSIC’s goals to strengthen Indigenous businesses, the Commission is inviting competitive Indigenous providers to be included on its compendium of consultants, and invite them to bid for ATSIC business.

(4) To assist Australian and New Zealand (ANZ) industry to compete for Commission business, the Commission has an MOU with ANZ Industrial Supplies Office Network (“the ISO Network”).

(5) There is no clause in the Commission’s Terms of Reference (TOR) that requires suppliers to offer ANZ goods. The Commission will revise its TOR and include a clause to cover this issue.

(6) NA

Department of Reconciliation and Aboriginal and Torres Strait Islander Affairs

(1) No.

(2) The Department closely follows Commonwealth Government Procurement Guidelines in the purchasing of all goods and services.

(3)(a) to (f) No weighting to the core principles is applied when assessing procurement opportunities. For each purchasing activity, departmental officers are encouraged to use their judgement in ensuring all of the procurement core principles of the Commonwealth Procurement Guidelines are adhered to.

(4) For each purchasing decision, the Department considers each of the core procurement principles, including the requirement to ensure Australian and New Zealand suppliers have fair opportunity to compete for departmental business.

(5) No. However in each procurement decision the department remains conscious of the principle relating to open and fair competition and government policy supporting the development of competitive Australian and New Zealand Industries.

(6) The attention of all staff involved in procurement activity is drawn to the departmental Chief Executive Instructions and Guidelines, which provide detailed information in relation to the Commonwealth Procurement Guidelines.

Aboriginal Hostels Limited

(1) Aboriginal Hostels Limited is not a large purchaser and consumer of office paper.

(2) The operations of Aboriginal Hostels Limited fall within the jurisdiction of the Commonwealth Authorities and Companies Act 1977 and, as such, Aboriginal Hostels Limited is not required to act according to the Commonwealth Procurement Guidelines. However, with the exception of notifying of opportunities, and reporting of company agreements in the Gazette, Aboriginal Hostels Limited has elected to adopt the Commonwealth Procurement Guidelines when purchasing goods and services on the Public Account.

(3) Aboriginal Hostels Limited weighs the importance of the core principles as follows:

(i) Value for money;

(ii) Open and effective competition;

(iii) Ethics and fair dealing;

(iv) Accountability and reporting;
(v) Industry development; and
(vi) Support for other government policies.

Aboriginal Hostels Limited considers that obtaining value for money and ensuring process transparency are the most important principles of the procurement process. Aboriginal Hostels Limited also considers that it is important to support Indigenous businesses and incorporates this principle in “industry development”, inviting where appropriate, Indigenous enterprises to bid for company business.

(4) Aboriginal Hostels Limited favours the purchase of Australian products and has an “Australian first” policy that is a part of the consideration of “value for money”.

(5) Yes.

(6) Not applicable.

Australian Institute of Aboriginal and Torres Strait Islander Studies

(1) The Institute is not a large purchaser of office paper. Acquisitions in any financial year do not exceed $10,000.

(2) The Institute is covered by the Commonwealth Authorities and Companies (CAC) legislation. It is, therefore, not required to adhere to the Commonwealth Procurement Guidelines, but has elected to mirror Commonwealth procurement policy and principles that are mandatory for Departments and agencies.

(3) The Institute’s Procurement Guidelines require employees purchasing goods and services to uphold all of the core principles of Commonwealth procurement policy.

(4) AIATSIS employees purchasing goods and services are required to follow its Procurement Guidelines and purchasing practices are monitored by internal audit.

(5) There is no clause in the Procurement Guidelines that requires suppliers to offer ANZ goods. The Institute will review its guidelines and include a clause to cover this issue.

(6) NA

Indigenous Land Corporation

(1) The ILC is a small corporation employing approximately 70 staff. As such, it would not be considered a large purchaser.

(2) The Commonwealth Procurement Guidelines are incorporated into the ILC purchasing policy and practice directions. They form the overriding principles against which all ILC purchasing is considered.

Land purchases pursuant to section 191D of the ATSIC Act are subject to other legislative and policy requirements.

(3) The ILC purchasing policy incorporates all of the core principles. However, the ILC has not instituted a weighting criterion against the core principles. Value for money would be considered the primary objective, notwithstanding the importance of complying with the remaining principles.

(4) The nature of ILC purchasing is such that local suppliers are predominantly used. The ILC also has a legislative responsibility to maximise the use of goods and services provided by businesses owned or controlled by Aboriginal persons or Torres Strait Islanders.

The Corporation has not instituted a weighting criteria in regard to competition by Australia New Zealand (ANZ) suppliers.

(5) The ILC generally call for tenders for the supply of services rather than goods. Suppliers of goods are not generally advised in invitations for tender that they must offer ANZ goods.

(6) NA

Torres Strait Regional Authority

(1) The Torres Strait Regional Authority (TSRA) is a minor purchaser of office papers.

(2) The TSRA follows the Commonwealth procurement policy and principles that are mandatory for Departments and agencies operating on the Commonwealth Public Account.
(3) The TSRA’s current Procurement Guidelines have the following core principles which underpin the procurement guidelines, namely:
(a) value for money;
(b) open and effective competition;
(c) fair dealing and planning;
(d) Code of Ethics for Procurement; and
(e) support for other government policies.
The TSRA uses the Government Purchasing Index which lists all approved Australian and New Zealand suppliers for the Commonwealth. The selection of a supplier or suppliers is based on the TSRA’s procurement guidelines.

(5) There is no clause in the TSRA’s current Procurement Guidelines that requires suppliers to offer ANZ goods. The TSRA will revise its guidelines to include a clause to cover this.

(6) NA

Commercial Development Corporation
(1) The Corporation is not a large purchaser of office paper.
(2) The Corporation is covered by the Commonwealth Authorities and Companies (CAC) legislation, and is therefore not required to adhere to the Commonwealth Procurement Guidelines.
(3) Under the Corporation’s Procurement Guidelines value for money would remain as the core policy goal. The supporting principles would be efficiency and effectiveness, accountability and transparency, ethics, industry development and support for other government policies.
(4) As stated in (2) the Corporation is not required to adhere to the Commonwealth Procurement Guidelines. However, the Corporation does weigh up the value for money and benefits of purchasing from Australian and New Zealand suppliers.
(5) There is currently no clause in the Corporation’s purchasing procedure that require suppliers to offer ANZ goods. The Corporation will consider revising its purchasing policy.
(6) N/A.

Employment, Workplace Relations and Small Business Portfolio: Procurement Policies

Mr Sidebottom asked the Minister for Employment, Workplace Relations and Small Business, upon notice, on 1 March 2001:

(1) Is the Minister’s Department, or are agencies within the portfolio, large purchasers or consumers of office papers.

(2) How are Commonwealth procurement guidelines being adhered to by the Minister’s Department and agencies within the portfolio.

(3) What methodology or weighting criteria does the Minister’s Department and agencies use to determine the importance of the core principles which underpin the procurement guidelines, namely (a) value for money, (b) open and effective competition, (c) ethics and fair dealing, (d) accountability and reporting, (e) national competitiveness and industry development and (f) support for other Commonwealth policies.

(4) What weighting criteria are used to implement the mandatory provisions in the guidelines which state that the agencies must be able to demonstrate that Australia New Zealand (ANZ) suppliers have had a fair opportunity to compete.

(5) In inviting suppliers to tender for the provision of goods, are suppliers advised that they must offer ANZ goods.

(6) If the Minister’s Department or agencies within the portfolio do not have weighting criteria for determining the principles, will the Minister take steps to ensure that they provide an appropriate means to demonstrate their compliance with Commonwealth procurement policy.

Mr Abbott—The answer to the honourable member’s question is as follows:
(1) The department is a low to moderate consumer of office paper.

(2) In accordance with FMAR6 (1) the Department has produced instructions for staff undertaking procurement activities. These Guidelines require staff to take account of the Commonwealth Procurement Guidelines: Core Policies and Principles when procuring property and services.

(3) The principal objective in undertaking procurement activities is to provide the means to efficiently and effective deliver the department’s programs. As such, evaluation criteria are weighted to ensure a value for money outcome within a competitive environment. The department’s guidelines also require ethics, fair dealing and accountability in its procurement processes.

(4) The department encourages a competitive and open environment when undertaking procurement activities. This strategy provides opportunities to all suppliers, including ANZ suppliers and Small to Medium Enterprises. Decisions on procurement processes are recorded.

(5) No.

(6) Guidelines are in place.

**Dairy Industry: Consumer Levy**

(Question No. 2403)

Mr Price asked the Minister for Agriculture, Fisheries and Forestry, upon notice, on 1 March 2001:

(1) What sum will be raised by the 11 cents per litre consumer levy on milk each year for the duration of the Dairy Assistance scheme in (a) NSW and (b) each State and Territory.

(2) What sum raised by the 11 cents per litre consumer levy on milk each year for the duration of the scheme will be paid to dairy farmers in (a) NSW and (b) each State and Territory.

(3) What will be the total sum of the levy raised in NSW.

(4) What will be the total sum of the levy received by NSW Dairy Farmers.

(5) Which State Dairy Farmers will receive the difference between what the levy raises in NSW and what is paid to NSW Dairy Farmers.

Mr Truss—The answer to the honourable member’s question is as follows:

(1) Based on the proportion of fresh milk consumed in 2000 in each State, it is estimated that average annual revenue raised will be: NSW:$65.2 million; the ACT:$3.5 million; Victoria:$50.0 million; Queensland:$44.1 million; South Australia:$21.3 million; Western Australia:$21.9 million; Tasmania:$5.50 million and the Northern Territory:$10.9 million. The Northern Territory figure includes all UHT milk brought in from the States and the ACT.

(2) Payments to farmers are estimated to be NSW:$42.1 million, Victoria:$95.6 million, Queensland:$27.5 million, South Australia:$15.9 million, Western Australia:$13.5 million, and Tasmania:$9.5 million. Payments to farmers in the Australian Capital Territory and the Northern Territory are not able to be provided for confidentiality reasons, as the number of farmers in these locations is very small.

(3) It is expected that the total amount of levy raised in NSW over the eight-year term of the dairy adjustment levy will be $521.6 million.

(4) Payments made over eight years to NSW dairy farmers are estimated to be $337 million.

(5) The Dairy Adjustment Levy is a Commonwealth levy, which under the Constitution must be applied uniformly across Australia. It is estimated that payments to dairy farmers over eight years will be NSW:$337 million, Victoria:$765 million, Queensland:$220 million, South Australia:$127.2 million, Western Australia:$108 million, and Tasmania: $76 million.

**Information Technology Industry: Staffing**

(Question No. 2413)

Dr Theophanous asked the Minister for Employment, Workplace Relations and Small Business, upon notice, on 1 March 2001:
(1) Is there a shortfall of at least 30,000 positions in the IT industry which are not being filled in Australia.

(2) Are a number of high technology Australian companies moving operations offshore because of this shortfall in qualified staff.

(3) Is the problem so serious that a special taskforce has been formed by employers in a desperate attempt to resolve this issue.

(4) What action is the Government taking to deal with this continuing crisis in the availability of qualified staff in the IT industry in Australia.

Mr Abbott—The answer to the honourable member’s question is as follows:

(1) I am aware that in August 1999 the Information Technology & Telecommunications (IT&T) Skills Task Force released the results of a national survey of the IT&T Industry, which estimated that during 1999-2000 the Industry would have approximately 30,000 positions to be filled by skilled IT&T employees. However, this did not purport to be an estimate of any shortfall in the filling of positions in the Industry. The Department of Employment, Workplace Relations and Small Business (DEWRSB), through its Skill Shortage Assessment activity, monitors skill shortages and has assessed that IT&T skill shortages are widespread but do not apply to all IT&T specialisations. A list of IT&T specialist skills (now generally referred to as Information Communications and Technology - ICT) that are in shortage has recently been published on the DEWRSB website and is attached.

(2) Information is not available regarding the numbers, if any, of Australian companies moving offshore because of ICT skill shortages.

(3) In 1998, through an industry initiative, an IT&T Skills Task Force was formed in response to industry concerns about IT&T shortages. Information about the IT&T Skills Task Force can be obtained from the Minister for Communications, Information Technology and the Arts.

(4) The Minister for Communications, Information Technology and the Arts and the Minister for Education, Training and Youth Affairs have announced initiatives to address shortages. Information about these initiatives can be obtained from those Ministers. In regard to my portfolio, DEWRSB provides advice to the Department of Immigration and Multicultural Affairs (DIMA) on skill shortages. DEWRSB works closely with DIMA in reviewing and implementing skilled migration policies and procedures and there are specific initiatives in the Migration Programme to facilitate the entry of skilled ICT workers, including considerable flexibility for temporary and permanent migration. DEWRSB also has many Labour Agreements covering ICT workers.

Australia’s immigration arrangements for entry of ICT professionals are already highly streamlined. In 1999-2000 there was a gain of 8,000 ICT professionals. The Government has also announced further initiatives including:

- using the contingency reserve allocation in the Migration Program to accommodate the rising demand to migrate from ICT professionals who have been trained in Australia. This will involve at least 2,500 places over and above the 76,000 places announced in the Migration Programme for 2000-2001;
- from July 2001, successful Australian-educated overseas students with key skills, particularly ICT qualifications, can apply to obtain a visa for permanent residence under the Skilled-Independent and related categories without leaving Australia;
- issuing a legally based Ministerial Direction to all immigration decision makers to give immediate processing priority to ICT professionals applying under the Temporary Business (Long Stay) visa and the Skilled Stream of the Migration Programme;
- all ICT occupations will be recognised as "key" positions, removing the need to test the labour market when looking to nominate an overseas worker for long-term temporary entry; and
- ICT specialisations on the Migration Occupations in Demand List will be reviewed in consultation with the DEWRSB, the National Office for the Information Economy and with representatives from the ICT industry on a six monthly (rather than annual) basis to identify ICT specialist shortages.
### SKILL SHORTAGES*—ICT SPECIALISATIONS (FEBRUARY 2001)

<table>
<thead>
<tr>
<th>Specialization</th>
<th>AUST</th>
<th>NSW</th>
<th>VIC</th>
<th>QLD</th>
<th>SA</th>
<th>WA</th>
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*Table represents the skill shortages in ICT specialisations as of February 2001.*
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*S = Shortage    D = Recruitment Difficulty    # = programming skills, not business skills

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* S = Shortage  D = Recruitment Difficulty

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Monday, 2 April 2001

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* S = Shortage  D = Recruitment Difficulty

National Specialisations in Shortage

**Database:**
Oracle, Microsoft SQL Server, Sybase SQL Server.

**General Application Development:**
PowerBuilder, Java, JavaScript, C++, Delphi, Visual Basic.

**Networking/Lan Administration:**
Advanced Web Design.

**Internet and Multimedia:**

**Client/Server applications:**
SAP, Peoplesoft, Siebel.

**System Software support:**
Data Warehousing.

**Operating Systems:**
Unix, Windows NT, Solaris, Linux.

**Process and Systems Management:**
Project Management, Systems Analysis, Commercial Business understanding.

E-Commerce.

National Office of the Information Economy
(Question No. 2437)

**Mr Tanner** asked the Minister representing the Minister for Communications, Information Technology and the Arts, upon notice, on 7 March 2001:

(1) What sums were transferred to the National Office of the Information Economy (NOIE) from the Office of the Government Online (OGO) following their merger for the forward estimate years (a) 2001-2002, (b) 2002-2003 and (c) 2003-2004.

(2) How many staff were transferred to NOIE from OGO and at what Australian Public Service salary of executive bands.

(3) What is NOIE’s budget for 2000-2001 and for each of the forward estimate years referred to in part (1).

(4) What proportion of NOIE’s resources are devoted to the functions previously performed by OGO in 2000-01 and forward estimate years referred to in part (1).

**Mr McGauran**—The Minister for Communications, Information Technology and the Arts has provided the following answer to the honourable member’s question:
(1) 2001-02, $12,091,000
    2002-03, $ 7,105,000
    2003-04, $ 7,035,000
(2) No of staff: 60
**APS salary:**
   APS 1 $26,410 - $29,188 NIL
   APS 2 $29,889 - $33,144 NIL
   APS 3 $34,042 - $36,742  6
   APS 4 $37,941 - $41,196  2
   APS 5 $42,319 - $44,874  4
   APS 6 $45,707 - $52,504 12
**Executive Salary:**
Executive Staff
   Exec 1 $58,502 - $63,179  17
   Exec 2 $67,442 - $79,041  14
Senior Executive Service
   Band 1 $75,073 - $100,020  3
   Band 2 $89,334 - $122,579  2
(3)—
   2000-01 $33,858,000
   2001-02 $33,128,000
   2002-03 $25,381,000
   2003-04 $24,285,000
(4)—
   2000-01 39.6%
   2001-02 36.2%
   2002-03 28.1%
   2003-04 28.9%