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

COMMITTEES
Foreign Affairs, Defence and Trade Committee

Report
Mr BAIRD (Cook) (12.31 p.m.)—On behalf of the Joint Standing Committee on Foreign Affairs, Defence and Trade, I present the committee’s report entitled Enterprising Australia—planning, preparing and profiting from trade and investment: a short report on the proceedings of the inquiry, together with evidence received by the committee.

Ordered that the report be printed.

Mr BAIRD—by leave—This is a short report on the proceedings of the inquiry. The Minister for Trade referred the inquiry to the joint committee on 2 November 2000. With the calling of the 2001 federal election, the inquiry automatically lapsed on the dissolution of the 39th Parliament on 8 October 2001.

The committee gave consideration to the re-referral of the terms of reference of the report, Enterprising Australia, in this the 40th Parliament. We decided not to continue with the inquiry. Our decision was based on a number of factors:

• the poor response to the call for submissions;
• the quality of the evidence;
• a review of the Commonwealth’s investment promotion and attraction efforts by a task force headed by Dr Ian Blackburne that embraced significant aspects of the Enterprising Australia terms of reference; and
• broad acceptance by the government of the recommendations made by Dr Blackburne in his August 2001 report Winning investment—strategy, people and partnerships.

Notwithstanding the lapse of the inquiry, we took the view that a short report should be tabled in the parliament outlining some of the issues and conclusions that came out of the evidence. These reflect a similarity of view between our observations and the findings of Dr Blackburne’s review team. I do wish to place on record our appreciation of the assistance the former Irish Ambassador, His Excellency Mr Richard O’Brien, and the Singapore High Commissioner, His Excellency Mr Ashok Kumar Mirpuri, gave to the inquiry.

We see a number of challenges for Australia in planning, preparing and profiting from trade and investment. No specific development agency model, whether it is an Ireland or a Singapore model, fits the Australian context. What is paramount is a national strategic approach to trade and investment. Additional challenges are developing regional initiatives that can build a diverse base for regional economic wealth, developing the skills in Australia that will underpin research and development initiatives, and ensuring Australia’s global competitiveness and the comparative effectiveness of the incentives we offer.

A national strategic approach to planning, preparing and profiting from trade and investment promotes and increases Australia’s international competitiveness. Evidence to the inquiry showed there were a number of federal government agencies that played a role in promoting investment and exports and—as Dr Blackburne noted in his investment review—this is not efficient and does not allow for a single Australian brand.

In the climate of global competitiveness where national leadership is paramount, the multiple-player approach promotes the insular culture of the bureaucracy and the notion of “turf”, with government processes cumbersome and unresponsive. It was evident to us that the degree of commitment to a national strategic approach is a key to advancing Australia’s trade and investment competitiveness. The government has agreed to the development of a national strategic framework for investment promotion and attraction, with the employment and infrastructure committee of cabinet to oversee operations. We are hopeful that this will indeed provide the capacity and capability to implement a whole-of-nation approach.
With the intention that this framework is to be developed in the context of Australia’s overall economic growth and industry and regional development objectives, we regard the major national issues raised during Dr Blackburne’s consultations as very important and they need to be addressed. These major national issues are set out in appendix E of our report. We are concerned that these issues, which were to be included in the work program of the Blackburne review’s proposed prime ministerial investment council, will not be addressed under the new arrangements of the revamped Invest Australia. These major national issues should not be dismissed as not applicable and lost to examination within the changed operational arrangements of Invest Australia.

In our report we comment on the issues of tax, seen as an impediment to business; the adequacy of Australia’s skills base, with investment in education critical to the future of Australia; and the commercialisation of R&D in Australia. On this last issue we are of the view that, in pursuing commercial outcomes, the capability to reach commercialisation should not become the sole criterion for funding an R&D project.

In conclusion, irrespective of Australia’s achievements in encouraging inward investment and promoting export sales, the challenge for Australia and its policy makers at all levels of government is to move forward and put us ahead of our competitors. We need to focus on becoming even more competitive than our competitors and not to be both outmarketed and insufficiently aggressive in the pursuit of opportunities. I commend the report to the House.

Mrs MOYLAN (Pearce) (12.36 p.m.)—I am very pleased to support my colleague the member for Cook who chairs the Trade Subcommittee of the Joint Standing Committee of the Foreign Affairs, Defence and Trade of the parliament. Australia is a country blessed with natural resources. In the past, the bulk of our trade has been selling minerals, wool, wheat and an abundance of other produce for domestic and export markets. In the contemporary trade and investment environment, 80 per cent of our gross domestic product comes from trade in services, and exports of services today account for 20 per cent of the world trade. Australia benefits from a $17.1 billion a year tourism trade, $4 billion a year in education and $200 million in legal services. Environmental services also bring us $300 million, and this figure is growing very dramatically.

Currently the services sector outstrips agriculture, mining and manufacturing, and this trend has been developing since the eighties. The services sector in Australia now accounts for four out of every five jobs and it represents 20 per cent of our exports, or $31.2 billion in export revenue, in 2001. In 1999 the government released the study ‘Driving forces on the new Silk Road: the use of electronic commerce by Australian businesses’. Electronic trade in itself presents just one of the many challenges for modern exporting nations, and a clearly focused policy is vital to our future economic success. It is the linkages in policy development that are essential, and it is these linkages that this report sought. These linkages are essential to making the most of Australia’s natural minerals and produce and to promoting Australian goods, services and products. My home state of Western Australia made a submission to this inquiry, which included the following observation:

… notwithstanding the global nature of the resources sector, there is much that governments can do to enhance Australia’s competitive position in the area of trade and investment. The need for co-ordinated and co-operative State and Commonwealth government action to promote investment is a particular overriding requirement.

As this report outlines, we have had a long history of formulating industry plans and action agendas to map out the strategic direction and action plans for specific industries. There have been green papers and white papers. A number of different agencies at Commonwealth level—and, indeed, state level—assist with overseas trade and promote investment. However, in an increasingly competitive environment, a strong focus needs to be achieved if Australia is to maintain a strong export orientation.

In examining some of the overseas models for this inquiry, the committee heard from the former Irish Ambassador to Australia,
His Excellency Richard O’Brien. In an outstanding presentation to the committee, he explained that the success of the Celtic tiger, now acknowledged worldwide, required a consensus approach to government policy. A social partnership was forged between government, trade unions, employers, farmers, universities and other important agencies.

Significant elements of this inquiry have been echoed, as my colleague the member for Cook outlined in his presentation, in the task force established by the Prime Minister to review Australia’s investment promotion activity. A copy of this report was released in August 2001. The Australian Financial Review outlined the main recommendations and went on to warn that ‘Australia would run the risk of falling further behind international competitors unless it reformed its investment program’. The conclusions of the task force were interesting, and Dr Blackburne, who headed up that task force, made some important comments. In summing up Australia’s situation, he said that the decline in Australia’s comparative effectiveness in winning international investment appears to be at least in part linked to the fact that we have been both outmarketed and insufficiently aggressive in the pursuit of opportunities.

This inquiry was indeed cut short, and that is a pity. But I would like to congratulate the former chair of the Trade Subcommittee, the Hon. Geoff Prosser, and all those involved in contributing to and finalising the report. I commend this report to the House.

The SPEAKER—Order! The time allotted for statements on this report has expired. Does the member for Cook wish to move a motion in connection with the report to enable it to be debated on a future occasion?

Mr BAIRD (Cook) (12.41 p.m.)—I move:

That the House take note of the report.

I seek leave to continue my remarks later.

Leave granted.

The 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.

Members will have leave to continue speaking when the debate resumes.

Education and Training Committee Report

Mr BARTLETT (Macquarie) (12.42 p.m.)—On behalf of the Standing Committee on Education and Training, I present the report of the committee entitled Boys—getting it right: report on the inquiry into the education of boys, together with the minutes of proceedings and evidence received by the committee.

Ordered that the report be printed.

Mr BARTLETT—by leave—This inquiry was referred to the committee because of growing community concerns about the relative underachievement of boys and the apparent growing disparity between the achievement of boys and girls, in school education particularly, and concerns that social and economic changes over the past two decades have more adversely affected boys in education than girls. Having said that, though, we acknowledge that not all girls have coped well with these changes and that policies already in practice have not always worked to the benefit of girls either. But the focus of this report is on the education of boys.

The evidence presented to this committee clearly confirms these concerns that many have felt. On almost any indicator, boys are not doing as well in school as girls. On measures of literacy, for instance, in the year 2000, at year 3 level, there is a 3.4 per cent difference between the achievement of boys and girls in reaching national benchmark figures. At year 5 the difference grows to 4.4 per cent. An ACER research project shows that, for 14-year-olds, the difference in achieving literacy levels has grown between 1975 and 1995—over those 20 years—from three per cent fewer boys achieving a satisfactory level to a deficit of eight per cent. On many other measures the same problem exists. On school retention rates, from the position some years back of having equal retention rates, we now have 66 per cent of boys completing year 12 and 78 per cent of girls completing year 12, with the implica-
tions of school retention rates having a bearing on long-term employment prospects.

While there are some variations across the states in year 12 higher school certificate tertiary entrance results, in 80 to 90 per cent of the subjects boys are underachieving compared to girls. In New South Wales in 1981 boys and girls roughly achieved the same higher school certificate tertiary entrance score. The difference has grown to the point that, in 1996, there was a 19.4 difference in total score between the achievement of girls and the achievement of boys. Fifty-six per cent of new university enrolments are now girls and only 44 per cent of new university enrolments are boys. Eighty per cent of students suspended from school are boys and only 20 per cent are girls. On almost any indicator, boys’ achievements at school raise some concerns and these concerns need to be addressed.

The big question is why are there these changes? Why is it that boys are underachieving? Many views were put to the committee: social and economic changes, changes to family structure, increased work force involvement of both parents and possibly underparenting, media stereotyping of males that has promoted too narrow or negative an image of men, the feminisation of the teaching work force, changes to curriculum and pedagogy, changing assessment methods, a mismatch between the school environment and the changing social needs of adolescents—particularly boys. Many views were put to the committee. It is true to say that most of these reasons, perhaps all of these in some way, contribute. There is no single cause for the growing underachievement of boys. But just as there is no single cause, there is no single, simple solution. As the causes are complex, we need a multifaceted policy approach to deal with these issues.

In our report we have made 24 recommendations covering a range of these areas to try to lift the achievement of boys. Time only permits us to deal with a few here. I would like to focus on the three or four crucial ones. The first is about our whole approach to the gender equity framework. The committee has recommended that the current gender equity framework be revised and recast to more appropriately consider the needs of boys and girls, to more effectively deal with the needs of both. It is quite true that the gender equity framework had appropriately, at the time, addressed issues of inequity that had arisen in the community, but in doing so we believe that it had become too narrowly focused and was not adequately focusing on the needs of boys in particular. In fact, at times it expressed the needs of boys in negative terms as to how they might impact on girls.

So the committee recommends that this framework be recast to focus on the positive goals of knowledge, skills, attitudes and values that we want all students—boys and girls—to achieve while they are in school. It will carry an equal focus on the needs of boys and girls so that we can equally direct boys and girls and assist them in achieving those goals and objectives of education. Further, we recommend that the achievement of boys and girls in education be evaluated against those goals that are summed up in the 1999 Adelaide declaration on education agreed to by all Commonwealth, state and territory ministers.

The second area of recommendation regards educational programs and pedagogy, that is the teaching—what actually happens in the classroom. There are three key areas of concern here. The first is that learning styles of girls and boys are not the same. I know that there are some girls who learn in the same way as most boys and there are some boys who learn in the same way as most girls, but it is clear that there are differences in the way that most girls and boys learn. Boys need more structure, they need more clearly defined instructions and they need more explicit teaching. They tend to prefer a more analytical approach rather than a verbal and linguistic approach.

The second area of concern regarding curriculum and pedagogy is the need to raise literacy levels. The implications of inadequate literacy are profound. Inadequacy in literacy is the key indicator of the tendency to leave school early. Inadequacy in literacy has a major impact on employment prospects, short term and long term. The com-
mittee is of the view that much more needs to be done to address literacy needs, particularly the literacy needs of boys. The third area deals with behaviour management, particularly in motivating and encouraging disengaged boys.

For this reason the committee recommends, firstly, that at the pre-service teacher training level much more focus is put into equipping teachers to come out as skilled practitioners. This is so that they come out with the ability to actually teach literacy and numeracy, to manage behavioural issues and to be able to address the different learning styles—and the common learning styles—of boys and girls. Secondly, the committee recommends that a much greater focus takes place on these areas in in-service professional development—that Commonwealth and state governments jointly raise their funding for professional development to assist teachers to better meet these needs in the class. And, thirdly, we have made some recommendations to assist parents in those very formative preschool years to be able to address these key areas of need.

The third area where the committee has made some recommendations is in equipping teachers to be better able to do their job in the classroom. The importance of quality teachers cannot be underestimated. It does not matter how many resources go into schools and it does not matter what our educational curricula are; if we do not have quality, committed teachers then we badly let down our children—boys and girls. We need to do more. We have recommended that states and territories consider substantially raising salaries for experienced and skilled practitioners to keep them in the classroom. We have recommended that the Commonwealth government do its part by providing a substantial number of teaching scholarships in equal numbers to men and women, to encourage quality candidates into the classroom. These scholarships should be allocated on the basis of merit and in conjunction with a range of other personal attributes that we recommend be considered in encouraging people to enter into teacher training.

There is much more I could say about these recommendations. I want to make this point: it is critical that we address these issues for the sake of the boys themselves and for the sake of our community, and so that all of our children, boys and girls, achieve to the maximum of their ability. I want to thank the 235 witnesses, the 231 people who made submissions, my colleagues on both sides of the House who have a passionate commitment to the welfare of our students—boys and girls—in our schools, and to the committee secretariat and particularly James Rees, who worked so hard on this report. I also want to thank all of the teachers around our country who labour tirelessly, day in and day out, for the welfare of our students—boys and girls.

The SPEAKER—Before I recognise the member for Port Adelaide can I thank him for alerting me to an error in the time clock. Clearly his pre-parliamentary teaching experience meant that he was alert to any mathematical hiccup.

Mr Sawford—The member for Braddon alerted me.

The SPEAKER—If I am doing the member for Braddon an injustice then clearly his pre-parliamentary teaching experience did no harm either.

Mr SAWFORD (Port Adelaide) (12.53 p.m.)—Good speech, Kerry; well done. Given that boys and girls intrinsically have similar intellectual capacities, how can the following discrepancies be acceptable in Australian education? At year 12, current retention rates for girls are 11 per cent higher than for boys; university admission rates are six per cent higher for girls than boys; differentials in the attainment levels over the majority of the curriculum, as the Chairman of the House of Representatives Standing Committee on Education and Training has pointed out, are up to 19 percentage points in favour of girls; 80 per cent of suspensions and expulsions from Australian schools are boys; and up to 100,000 could be involved.

Contemporary reporting of education in the media also suggests that everything is not right in education. A couple of months ago, the Adelaide Advertiser reported that just four per cent of a group of 200 teaching undergraduates could achieve 80 per cent in a
year 8 mathematics test. The story did not suggest this crop of young prospective teachers was unintelligent but it certainly did imply that there were significant gaps in teaching and learning occurring in our schools and universities. In last week’s edition of the Bulletin, Diana Bagnall reported on the shortcomings of mathematics in Australian schools and universities, with a steady decline in students taking advanced levels of mathematics and a dramatic fall of teaching students specialising in mathematics. The claims of both journalists are correct.

How do these extraordinary happenings occur? If an examination is made of education over the last 50 years, three distinct periods emerge. The first is the period from 1950 to 1970. This was when education was highly structured—there were defined texts, teaching was explicit and assessment was largely by examinations. The social and political attitudes of the day unquestionably favoured boys. Boys had a 10 per cent higher retention rate, higher admission rates to university and higher attainment rates over the majority of the curriculum.

The second period was from 1970 to around 1990. The curriculum structure was more diverse, teaching was both explicit and implicit, and it changed focus from whole class to smaller group and individual approaches. Assessment was a mix of continuous assessment and examinations of various types. In 1976, school retention rates in Australia were the same for boys and girls. In 1981, as the chairman also pointed out, the differentials in attainment levels in New South Wales between year 12 students were less than one percentage point. That is what they should be. In the third period, from 1990 to the present, retention rates of girls are 11 per cent higher than boys, university admission rates are six per cent higher, differentials in attainment levels as they are now measured in year 12 could vary by up to 19 percentage points.

As I said earlier, given that boys and girls intrinsically have a similar intellectual capacity, you would imagine that these statistics would be ringing alarm bells among the educational administrators and academia in each state in Australia. That is not what the committee found. An important small minority of university academia was recognising the problem but the overwhelming view put to the committee by education bureaucrats, academics and representatives of the Australian Education Union was a state of denial. Good principals and good teachers in all states did recognise the problem and they were doing something about it.

How could education have got so out of kilter in this country? How could so many educational professionals fail to recognise the emergence of a serious problem of alienation and disengagement from education of boys and also a significant group of girls. Go round to any shopping centre during the day in any capital city in Australia; you can see it there. If the suspension rates of Western Australia were applied to the rest of Australia, around 100,000 students would be involved each year, a million in 10 years. Eighty per cent would be boys. That we are unable to confirm or deny that 100,000 figure reflects very poorly on the data collection by state government education departments.

Good education is easy to define and describe, even if in practice it is far more difficult to achieve. Good education is the balancing of differences, good education is inclusive and good education realises the potential of all girls and all boys. It is relatively simple to bias schooling in favour of boys or girls. Just as it was wrong to intentionally or otherwise favour boys in the 1950s and 1960s, it is also wrong to intentionally or unintentionally favour girls, as happens in too many schools at present.

Boys and girls learn differently. It is unacceptable that current policies do not recognise that fact. Boys and girls have different strengths and they have been recognised by Howard Gardner’s theory of multiple intelligence. In general, girls have superior verbal linguistic skills; boys have superior mathematical, logical, spatial and reasoning skills. Girls have superior fine motor skills; boys have superior gross motor skills. Girls have greater nurturing strengths and interpersonal skills; boys have greater naturalistic skills in sorting and classifying. As anyone can deduce, it is relatively easy to skew education to favour either boys or girls. But that is not...
the point. Good education policy, good programs and good assessment build on the inherent strengths and weaknesses of all our boys and all our girls. It is important that boys learn to express themselves but it is just as important to encourage girls to take on higher levels of mathematics.

Witnesses before the committee—these were the teachers—stated that boys and girls favoured different teaching and learning styles. Boys need explicit teaching. They need to be challenged. They need hands-on and active means of instruction within structured educational programs. Some girls are also comfortable with this approach but generally girls respond better to content and group and individual work in unstructured activities, with plenty of self-directed learning. Boys respond more to relationships with teachers and teacher directed learning and need a consistent application and spelling out of the rules. Girls are more likely to just get on with it.

In literacy, girls are more likely to respond to the personal, boys to the physical. In activities, girls are more likely to respond to the verbal, boys to the visual. Boys respond positively to structured challenges and direction; girls respond to encouragement. On average, boys' capacity to process what they hear is considerably slower than girls'; on average, boys' capacity to analyse what they see is considerably faster than girls'. Girls prefer continuous assessment schemes and examinations that consist of essay type responses; boys prefer multiple-choice testing tasks and examinations that get to the point.

There is nothing remarkable in all of this. It is what successful practitioners have told committee members over and over again: different strokes for different folks. What is remarkable is that so much of the balance that makes up a good education system has gone missing. How could anyone suggest that policies that work for girls will work for boys? Yet that is exactly what has occurred in too many schools in the last 12 years.

It is not overstating the case to say that there is too much emphasis on synthesis and expression in our schools and too little on analysis and reason. Who says implicit teaching, collaborative learning and passive self-directed learning are more effective than explicit teaching, fair competition and active teacher directed learning? Where is the evidence? It makes no sense to value intuitive and verbal skills and then undervalue insight and visual skills. Theories of learning that promote nurture are overvalued and those stating nature are discredited. Qualitative research is favoured over quantitative, which is unfashionable. It is simply nonsense to favour one set of educational options over another. Good education for boys and girls has both.

The committee has made many recommendations concerning changes to current educational policy, teacher training and remuneration, research, the collection of data, the promotion of successful teaching strategies, scholarships, the injection of new funding and monitoring mechanisms to account for the expenditure to be carried out by state and Commonwealth governments. The committee unanimously agreed that the gender equity framework introduced into Australian schools in 1997 does not adequately articulate or address the educational needs of all boys, nor indeed all girls.

Professor Faith Trent from Flinders University has pointed out an important set of considerations in relation to the gender equity framework. The gender equity framework is a policy that had its genesis in the report Girls, schools and society. This report had a rationale that girls were invisible in the curriculum and in schools and that girls had restricted career outcomes. However, that is hardly an appropriate policy for boys. The gender equity framework does not separately research and identify boys' needs, and it sets boys' needs solely in the context of what still needs to be achieved for girls.

In a number of states, witnesses were asked to provide evidence of any quantitative research that would support the introduction of the 1997 gender equity framework into Australian schools. It is pertinent to point out that there was not one piece of evidence from one person. The gender equity framework as it is currently stated is not suited to boys and indeed to some girls. As the committee has recommended, this policy should be totally recast. My thanks go to the current
chair, Kerry Bartlett, to past chairs, Kay Elson and Brendan Nelson, to James Rees, to the committee secretariat and to my fellow committee members. I commend the report to the House. (Time expired)

Mrs Elson (Forde) (1.03 p.m.)—I would like to thank, firstly, the member for Port Adelaide for his response to the report of the House of Representatives Standing Committee on Education and Training entitled *Boys: getting it right: report on the inquiry into the education of boys*. His response was as exceptional as the contribution he made during the inquiry. It was my pleasure to chair this inquiry for most of 2001 before I was appointed Chair of the House of Representatives Standing Committee on Agriculture, Fisheries and Forestry. My very capable and talented colleague the member for Macquarie took over the chair of this committee. I congratulate him and the member for Port Adelaide for the fine jobs they have done in bringing this inquiry to its conclusion and tabling the report. All members of the committee would appreciate the commitment that both of these people put in to ensure the very positive results we see here today. I again thank them for their major contributions.

I am pleased to have the opportunity to say a few words on this report. The education of our children is one of the most crucial issues governments deal with at both federal and state levels. There was a time when girls were very clearly disadvantaged at school in comparison to the way boys performed. I believe that was certainly the case in my generation. Today, however, we have seen a remarkable reversal of fortunes—boys consistently achieve at a far lower level than girls when it comes to the national literacy and numeracy benchmarks; fewer boys stay on to year 12 than girls; girls on average achieve higher marks in the majority of subjects in year 12; and today around 56 per cent of university commencements are females, while a higher proportion of boys go to vocational training. This is very clear evidence that boys are not faring as well as girls at school.

This is an issue that in the past has not received the attention it deserved—mainly because some sections of the community feared that addressing this imbalance would mean a diminishing of the gains girls had made. This is not the case at all. The one thing that I want to stress above all else is that raising the educational achievements of boys can be done without threatening the gains made by girls. As a mother of four sons and four daughters, I have balanced loyalties in this regard. As parents, we want the very best for our children regardless of gender, and that clearly ought to be the aim of our education system as well. But it became fairly obvious throughout this inquiry that boys are being let down by the system as it currently operates.

Obviously, I do not have time today to touch on all of the recommendations of this report. It is extensive and it has been several years in the making to allow a very thorough examination of the problems and possible solutions we can implement. I want to touch briefly today on chapter 5, which stresses the importance of literacy and numeracy. There are 10 practical recommendations in this area, and I believe this is where real differences can be achieved. Consistently at year 3 and year 5 in every state across Australia, a lower percentage of boys than girls are achieving the benchmark literacy and numeracy standards. Poor achievements in literacy and numeracy can be linked with leaving school earlier, lower rates of entry to further learning, and higher rates and longer periods of unemployment. I want to take this opportunity to congratulate the Minister for Education, Science and Training and his predecessor, the member for Goldstein, for their unstinting commitment to pursuing benchmark literacy and numeracy levels.

I am particularly pleased with recommendation 11 of this report, which calls on the government to make sure that the states and territories are effectively using the additional funding we have provided for literacy and numeracy to provide support for disadvantaged students who are identified as needing it most. I know there are some extremely effective and innovative literacy and numeracy programs currently operating in some schools. Shortly before I became chair
of this committee, we had a public hearing at the Eagleby State School in my electorate, which has achieved remarkable results with its literacy and numeracy programs. I take this opportunity to congratulate the many fine teachers at Eagleby school who are making such a difference in the lives of students and indeed the whole community.

The importance of literacy and numeracy cannot be overstated, especially in looking to address the difficulties some boys face. In the short time I have left, I want to emphasise the importance of male teachers, fathers and role models as discussed in chapter 6 of the report and recommendations 17, 18 and 19. It has become rather fashionable in some sections of the community to discount the crucial role fathers and male role models play in the development of our children, especially boys. This is an attitude that clearly has to change in the wake of growing evidence that fathers and strong role models have a crucial role to play. It is obvious that we need proactive policies that encourage more males into the teaching profession for the benefit of all children, and particularly to help address some of the problems that boys are experiencing. I wish I had more time to canvass the greater range of issues that this report raises. I hope it will be a positive starting point for governments across the nation to examine and address this issue.

(Time expired).

Mr SIDEBOTTOM (Braddon) (1.08 p.m.)—I have great pleasure in joining my colleagues on both sides of the House in recommending this report of the Standing Committee on Education and Training, Boys: getting it right. When I looked at the historical record on this report from go to whoa, I found that the inquiry was initiated on 21 March 2000 and has had a long history to the present day. The name of the report, Boys: getting it right, is symbolic: we have to get it right. We have to get it right for students, both male and female, in our schools and for their families. In more ways than one, the title Getting it right is very important. I hope that the committee recommendations—some of which I hope will stimulate and be controversial so that we get a debate on this even further—act as a worthy blueprint for those who are interested in students and, in particular, boys.

The impact of the statistics and the evidence that was given to us about boys in education cannot be denied, despite the fact that some people try and make the issue so generic that it relates just to students at risk rather than boys. We appreciate there are students at risk, both male and female, but the evidence irrefutably points to disengagement in learning—particularly through alienation—of boys. It is not so much a question of why; we know why. We have had report after report. We do not want Boys: getting it right to be filling up some dusty bookshelf and not getting any response from either the education population at large or, particularly, the Minister for Education, Science and Training.

I acknowledge the minister’s involvement and interest in this topic. He was a former chair of the committee and I look forward to him going through this report piece by piece and recommendation by recommendation and responding positively to the unanimous recommendations of the committee. I note that 21 members of parliament have served on this committee, including the current minister, which testifies to the interest and importance of this investigation. There were 231 written submissions, 235 witnesses throughout Australia and 24 recommendations. Ten of those recommendations, if I have done my maths correctly, related to financial commitments or recommendations asking the Commonwealth government to commit funds. That is really important. We are asking the Commonwealth to put money where the rhetoric is, especially where the committee regarded the recommendations as being so important in bringing about positive change and trying to tackle these long-term problems.

The Australian has been running an excellent series on good schools, looking at the hallmarks of good schools. It said that a good school is one that has highly motivated, valued and supported teachers; has a curriculum which responds to the needs of students; has close links to families, parents and the community; and makes the most of the human and material resources available to it. That is
exactly the structure of this report. This report deals comprehensively with each of the four areas I just mentioned. I recommend it to the education community. I recommend it to parents. I recommend it to students, if they get the opportunity to look at the report.

As I mentioned before, there are a number of recommendations involving funding by the Commonwealth. These include looking at the assessment of strategies that work and being able to share them. They involve supporting professional development, because teachers are absolutely the key. Just about any assessment of student responses to learning, and particularly responses by boys, looks at the quality of the teacher-student relationship. The report looks at the whole idea of the provision of HECS-free scholarships in equal numbers for both females and males, having good teachers in our schools and having role models for both boys and girls in our schools.

I would like to thank the chair, the member for Macquarie, Mr Kerry Bartlett; the member for Port Adelaide, Mr Rod Sawford; the inquiry secretary, James Rees; and Richard Selth, the committee secretary. I would also like to join the member for Macquarie in thanking all those teachers who participated in this report for the sterling job they are doing. We have to get it right. (Time expired)

Mr SA WFORD (Port Adelaide) (1.13 p.m.)—On indulgence, on behalf of the committee chair, myself and other members of the Standing Committee on Education and Training—the members for Mitchell, Swan, Aston and Petrie—I would like to join the member for Macquarie in thanking all those teachers who participated in this report for the sterling job they are doing. We have to get it right. (Time expired)

Mr BARTLETT (Macquarie) (1.14 p.m.)—I move:

That the House take note of the report.

I seek leave to continue my remarks later.

Leave granted.

The 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.

Foreign Affairs, Defence and Trade Committee Report

Mr JULL (Fadden) (1.14 p.m.)—On behalf of the Joint Standing Committee on Foreign Affairs, Defence and Trade, I present the committee’s report entitled Visit to Australian forces deployed to the international coalition against terrorism: parliament’s watching brief on the war on terrorism.

Ordered that the report be printed.

Mr JULL—I am delighted to present this report on behalf of the Joint Standing Committee on Foreign Affairs, Defence and Trade. It reports on a visit undertaken in July this year by a delegation of nine members of the committee to Australian Defence Force personnel deployed on active service in the Middle East and Central Asia as part of Australia’s contribution to the international coalition against terrorism. The delegation travelled by Defence Force aircraft and met with personnel deployed at the Australian National Command Element in Kuwait; Royal Australian Navy personnel enforcing UN sanctions against Iraq in the Persian Gulf; Royal Australian Air Force personnel conducting air-to-air refuelling operations from Kyrgyzstan; and forces from the Special Air Service Regiment conducting operations in Afghanistan. The visit was part of a wider program of activities being undertaken by the committee to monitor Australia’s ongoing commitment to the war on terrorism. Those members fortunate enough to participate in the visit now have a far more comprehensive understanding of the nature and effectiveness of Australia’s commitment than can be achieved by receiving briefings in Parliament House. This report is one of the ways in which we are seeking to make this experience available to a wider audience.
An equally important element of the visit was to demonstrate the Australian parliament’s strong bipartisan support, and the support of the Australian community, for the Defence Force personnel deployed on these operations. We were extremely impressed by the outstanding professionalism and dedication to duty being displayed by our service men and women in demanding and, at times, hostile circumstances. They are performing with great distinction and have earned the respect and admiration of the international forces with whom they are working. All Australians should be immensely proud of their achievements and the contribution they are making to the success of the international coalition against terrorism.

In our report, as well as describing the visit, we make a number of observations about Australia’s force commitment to the coalition. It was clear, for example, that each of the force elements deployed is making a highly relevant contribution and is displaying outstanding levels of professionalism and commitment. The quality of the contribution is demonstrated by the extent to which Australian forces are directly engaged in the planning, conduct and coordination of operations. In Afghanistan, the Special Forces Task Group is fully integrated into the coalition effort and provides a niche capacity, built upon a unique mix of training, skills, tactics, temperament and equipment. In the Persian Gulf, not only are our Navy ships operating at a high tempo, but tactical control of the whole maritime interception force is currently being exercised by an Australian commander and his staff. In Kyrgyzstan, RAAF air and ground crews were, until their recent return to Australia, achieving remarkably high levels of aircraft serviceability and mission success. In addition, an Australian officer was intimately involved in operational planning and coordination as the coalition air operations officer.

We were also interested to learn more about the complex command and control arrangements in place for the ADF contribution to the coalition. Although not implying that there are significant failings in the command structure, we have concluded that elements of the existing structure warrant careful consideration. We will, through our Defence Subcommittee, further examine the effectiveness of these arrangements and any other arrangements developed for similar deployments in the future. One matter on which we have made recommendations is the issuing of awards to deployed personnel to recognise their service. Our first recommendation is that the government and the Department of Defence should take concerted action to overcome the evident delays in issuing the Australian Active Service Medal to those personnel entitled to receive the medal. Ideally, this medal should be available to be awarded immediately upon completion of a tour of duty. Our second recommendation is that, given the warlike nature of this deployment, the Minister for Defence should consider issuing an Australian campaign medal to those Australian Defence Force personnel who have served on operations in support of the international coalition.

There is no doubt that the international coalition’s current operational tempo has diminished, especially in Afghanistan. It is widely accepted that the initial phase of the operation has passed and that the priority now is to help the Afghan government establish effective control within its territory. The recent return of the RAAF deployment and public debate about the possible recall of the special forces contingent is evidence of this new phase of operations. It may, however, be premature to expect the imminent return of all Australian deployed forces. Continued vigilance is required in Afghanistan to prevent al-Qaeda and Taliban forces from regrouping before the Afghan government is able to exert security control. Moreover, the work of the maritime interception force in the Persian Gulf seems unlikely to wind down in view of ongoing debates in the United Nations about the enforcement of UN resolutions against Iraq. Of course, the terrible bombing in Bali reminds us all that the fight against terrorism is far from over. (Time expired)

Mr PRICE (Chifley) (1.20 p.m.)—In rising to speak to the Joint Standing Committee on Foreign Affairs, Defence and Trade report entitled Visit to Australian forces deployed to the international coalition
against terrorism: parliament’s watching brief on the war on terrorism, let me say at the outset that two members who participated in the visit to the Australian forces—Bruce Scott, the chair of the Defence Subcommittee, and the member for Kingsford Smith—are overseas at the United Nations, and the honourable member for Brand, who was also a member of the delegation, is unable to be with us today but has already had an opportunity to comment on his experience of the trip.

I strongly hold the view that, if it is good enough for the parliament to send troops overseas to serve the nation, it is good enough for some members of parliament to go and see them where they have been deployed. I have to confess to having been bitterly disappointed not to have been a member of this particular delegation. Post the events in Bali, it is ironic to think that, in such a short period of time since this visit occurred, this report is about here and now. As important as our commitment to Afghanistan and the war on terrorism has been, Bali has changed a lot of equations.

As the report highlights, whether we are talking about our Navy, Air Force, Army or the Special Air Services Regiment, our forces operate with great professionalism and make a contribution beyond their mere numbers. If anyone is in any doubt about that, I suggest they read the report; it is unequivocal.

The Joint Standing Committee on Foreign Affairs, Defence and Trade and its Defence Subcommittee have, on a number of occasions, brought down similar reports. In the mid-1990s, we brought down a report on peacekeeping which, with the effluxion of time, almost seems to be a case of naive painting, although it was controversial at the time because of the number of people we thought we should or should not be sending overseas on these missions. Two years ago, the committee brought down a report called From phantom to force. There were only 12 recommendations in that report but it is important to point out that the very first recommendation was that the government should consider establishing a national security council. Although it is some 25 months since that report was tabled in the parliament, it is a matter of deep regret that there has been no government response to it. I cannot say to members of parliament that, if we had a national security council, the events in Bali would have been avoided, but I can say that not having a national security council did not prevent the events in Bali.

I urge the government to pick up the recommendations—the member for Fadden mentioned two in particular—and the issue of command and control that are mentioned in the report. I earnestly request the government, some 25 months after the report was delivered, to provide an official government response to the report From phantom to force. I commend to all honourable members this report entitled Visit to Australian forces deployed to the international coalition against terrorism: parliament’s watching brief on the war on terrorism. As always, we should be very proud of the service our serving men and women provide this nation and have provided in the war on terrorism. This report is worth reading.

Mr PROSSER (Forrest) (1.25 p.m.)—In July this year I joined eight members of the Joint Standing Committee on Foreign Affairs, Defence and Trade on a visit to Australian Defence personnel deployed in the Middle East and Central Asia as part of Australia’s contribution to the international coalition against terrorism. The objectives of our visit were threefold: firstly, to contribute to parliament’s understanding of Australia’s commitment to the international coalition against terrorism; secondly, to enhance wider public awareness of the nature and value of Australia’s commitment to the international coalition; and, thirdly, to demonstrate parliament’s bipartisan support for the Australian Defence Force personnel deployed on coalition operations. I am pleased to report that we met all these objectives in full.

During our visit, we met with personnel from the Australian National Command Element in Kuwait, Royal Australian Navy personnel deployed on interception operations in the Persian Gulf, Royal Australian Air Force personnel conducting air-to-air refuelling operations from Kyrgyzstan and forces from the Special Air Service Regi-
ment conducting operations in Afghanistan. Australia’s Special Air Service Regiment, which forms the Australian Special Forces Task Group, commanded by Lieutenant Colonel Rick Burr, provides a specialist capability that is respected and regularly used by senior coalition commanders. The judgement, discipline and control exercised in carefully distinguishing between terrorist and non-terrorist hostile groups helped preserve life and gain valuable intelligence. The capability of Australian special forces was demonstrated on many occasions over the campaign, most notably during the largest battle—Operation Anaconda.

The professionalism and dedication to duty displayed by our service men and women is deserving of our respect. The conditions under which they are working are extreme, yet we did not hear a single complaint. Indeed, the personnel we met were pleased with their ability to stay in touch with family and friends through the Internet, email and the telephone. When we visited Bagram, the forces were, properly, monitoring a football game in which the Dockers were in front. It is important that they keep in touch with what is going on at home.

In addition to visiting Australian troops deployed in the region, the trip gave us an opportunity to meet our coalition partners in the war on terrorism. One such notable occasion was our visit to the US helicopter flight line at Camp Doha, where we were taken on a terrain familiarisation flight over Kuwait on board a US Black Hawk helicopter. The flight gave us an opportunity to see the region known as the ‘boneyard’ near the Iraqi border where the wrecks of an enormous number of Iraqi vehicles and equipment destroyed during the Gulf War have been stockpiled.

The helicopter flight also gave us insight into the oppressive conditions in the desert, where temperatures across the barren, shadeless ground exceeded 50 degrees Celsius. That also applied to our personnel in the Gulf. One can only imagine how unbearable these conditions must be for soldiers on the ground in armoured vehicles. We were indeed grateful for the terrain flight and briefings provided by the US helicopter commanders and crew. The coalition partners we met gave us constant reminders of the dedication and effectiveness of Australian personnel deployed in the region. One could not help but feel immensely proud to be an Australian as the coalition commanders outlined their praise for our personnel.

In addition to better understanding the contribution made by our service personnel, the visit also provided an opportunity for standing committee members to remind our service men and women that their efforts were greatly appreciated by the rest of the country. While all of our people deployed in the region could be regarded as quiet achievers, they were pleased to know that the thoughts of other Australians are with them.

Despite the conditions in which the special forces and Navy personnel in the Gulf operated—52 degrees Celsius—they are doing a remarkable job and they are doing it with smiles on their faces. I think the families of the Australian forces deployed in the coalition against terrorism should be immensely proud of the job they are doing, as I know all Australians are.

Mr GIBBONS (Bendigo) (1.30 p.m.)—I rise to speak on this report entitled Visit to Australian forces deployed to the international coalition against terrorism: parliament’s watching brief on the war on terrorism, replacing my good friend and colleague Graham Edwards, the member for Cowan, who has been detained in Perth attending a commemorative service for those from his electorate who were lost as a result of the tragic events in Bali on 12 October.

As has been stated before, in July this year a delegation of nine members from the Joint Standing Committee on Foreign Affairs, Defence and Trade visited Australian Defence Force personnel deployed on active service in the Middle East and Central Asia as part of Australia’s contribution to the international coalition against terrorism. Joining them for part of that mission were four MPs who were participating in the Australian Defence Force Parliamentary Program, and I was fortunate enough to be part of that group. Both delegations met with the personnel deployed at the Australian National Command Element in Kuwait; the Royal
Australian Air Force personnel conducting air-to-air refuelling operations from Kyrgyzstan; the Special Air Service Regiment forces conducting operations in Afghanistan; and also the Royal Australian Navy personnel enforcing UN sanctions against Iraq in the Persian Gulf.

Our Navy has HMAS Melbourne, an Adelaide class guided missile frigate, and HMAS Arunta, an Anzac class frigate, currently serving in the Persian Gulf. They are enforcing a United Nations Security Council resolution to prevent the import and export of illegal goods to Iraq. Only illegal cargoes are seized or turned back; medical equipment, food and other essential goods are permitted, for humanitarian reasons. The Australian Navy has been directing the operations since January this year and commenced full-time command of the entire coalition fleet in April this year.

As the member for Fadden has stated, both delegations were extremely impressed by the outstanding professionalism and dedication to duty being displayed by our service men and women in demanding and at times hostile circumstances. They are performing with great distinction and have earned the respect and admiration of the international forces with whom they are working.

A key part of the visit was to demonstrate parliament’s strong bipartisan support, and the support of the Australian community, for the Defence Force personnel deployed on these operations. I support the member for Fadden when he said that all Australians should be immensely proud of their achievements and the contribution they are making to the success of the international coalition against terrorism. In fact, we can be very proud of all our personnel in the defence forces, whether they are serving overseas or at home. But I stress: our defence forces are just that, defence forces. They are, in the main part, not designed or equipped to go off and attack another country—something that they may well be asked to do in the near future if the President of the United States carries out his stated intention of launching an attack on Iraq. We must exercise extreme caution if asked to support such an attack, especially when the motivation for such a request has a strong chance of being just symbolism—an attempt by the American President to enlist the support of our nation to get him over a major domestic political problem he is experiencing as a result of his stated intentions for war with Iraq.

Opposition Leader Simon Crean and other Labor spokespeople have consistently stated that any additional—I use the word ‘additional’ because we already have forces deployed in the Middle East in the war against terrorism; indeed, that is the reason for this report being tabled today—Australian military involvement in an attack on Iraq should only be considered after endorsement from the United Nations Security Council, or after new and overwhelming evidence linking Iraq with al-Qaeda—evidence which is yet to materialise in spite of a lengthy and vigorous debate in the American Congress, which has now voted to support President Bush’s objectives on Iraq, and the release of the Blair document containing information gathered by British intelligence.

I said in an earlier speech in this House that one of the questions that remain unanswered is why Saddam Hussein appears to be adding to his arsenal of weapons of mass destruction. We should not forget that this is a military dictatorship and, as such, it thrives on the fear of foreign enemies and military danger. But is it also because the present enemies that surround Iraq and its allies also have this capability? Is it because Israel also has powerful weapons and may not be afraid to use them? Is it because Saddam Hussein is just as paranoid as other more belligerent elements in the US government? Is he too just another megalomaniac?

These questions remain unanswered, but there is no doubt that, after the horrendous and tragic events in Bali on 12 October, an ever increasing number of Australians now demand that all our defence forces concentrate their efforts on the war against terrorism at home and in our own region, not halfway around the world in a country whose threat to Australia’s wellbeing, and in fact the wellbeing of the United States, is yet to be identified.

The DEPUTY SPEAKER (Hon. I.R. Causley)—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) (1.34 p.m.)—** I move:

That the House take note of the report.

I seek leave to continue my remarks later.

Leave granted.

The **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. The member will have leave to continue speaking when the debate is resumed.

National Capital and External Territories Report

**Mr NEVILLE (Hinkler) (1.35 p.m.)—** On behalf of the Joint Standing Committee on the National Capital and External Territories, I present the committee’s report, incorporating a dissenting report, entitled *Striking the right balance: draft amendment 39, National Capital Plan*.

Ordered that the report be printed.

**Mr NEVILLE—by leave—** Draft amendment 39 of the National Capital Plan was first brought to the committee’s attention in February 2001. A revised version of the draft amendment was provided to the committee in April 2002. The committee considered this revised version and in May 2002 sought a reference from the Minister for Regional Services, Territories and Local Government to conduct an inquiry. In particular, the committee wished to learn why the original provision of draft amendment 39, which removed the designated area status from the Deakin-Forrest residential precinct, was not included in version 3 of the draft amendment.

The committee is well aware of the four competing interests in this matter and the need to strike the right balance between them. There is the ACT government, which seeks to provide a consistent and equitable set of planning and development processes throughout the territory. There are the residents and leaseholders from the area, most of whom wish to protect the residential character of the area. Then there are some who own properties on State Circle who want to enhance the value of their properties through commercial development. Finally, there is the Commonwealth, as represented by the National Capital Authority, charged with safeguarding the national capital significance of the area.

In its deliberations, the committee focused on three principal issues. The first was to determine who should have planning control over the area in question. The majority of the committee shares the concern of the National Capital Authority that the current and proposed changes to the territory residential policies have created some planning uncertainty. The majority of the committee believes that in this climate of uncertainty the Commonwealth should retain planning jurisdiction over the area. The majority of the committee also believes that National Circuit constitutes an appropriate outer boundary for the area. The report’s first recommendation, therefore, is that the designated area status currently applicable to the Deakin-Forrest residential area between State Circle and National Circuit be retained.

The second issue confronting the committee was the nature of future development in the area. The area is a well-established residential precinct, for the most part exhibiting the best of Canberra as the garden city. The committee as a whole, therefore, recommended that the land use policy should continue to be residential and that non-residential development should be prohibited. The committee shares the concern of some residents and lessees that many of the properties fronting State Circle have fallen into a state of disrepair and detract from the national significance of the area. Both the National Capital Authority and a local developer presented the committee with different residential development scenarios for State Circle. The committee, however, chose not to judge which type of residential development proposal was most suitable for State Circle. The committee’s primary concern was to ensure that any redevelopment of the State Circle sites be consistent with the residential character of the area. Further, the committee believes that the design and landscaping of the area should be of a standard...
commitments with the status of the area and its national significance. These views are expressed in recommendation 3 of the report.

The third issue considered by the committee was the consultation process used by the National Capital Authority. The committee believes that, in relation to the redevelopment of 15 State Circle, the authority failed in its duty to the residents and lessees of the area and ignored the committee. In view of the committee’s recommendation that the Commonwealth retain planning control over the area, the committee has further recommended that changes be made to the act to ensure greater public consultation by, and access to, the authority with respect to works approvals in the area.

I would like to express on behalf of the committee our gratitude to those who participated in the inquiry and to the staff of the secretariat. I would like to take this opportunity to thank my committee colleagues for their work and support throughout the course of the inquiry and the reporting process. That having been said, I commend the report to the House.

Ms ELLIS (Canberra) (1.40 p.m.)—As the member for Canberra and as a member of the Joint Standing Committee on the National Capital and External Territories, I have pleasure in addressing the report entitled Striking the right balance: draft amendment 39, National Capital Plan, an outcome of the inquiry conducted by the committee. I wish to address, in particular, the minority report, of which I am a supporter. Sadly, I think that Striking the right balance is a misnomer, given that, by offering some ideas on conciliation and by way of compromise, that is what we were attempting to do with this report. It is fair to say that Labor members of this committee, while supporting chapter 1 and the body of chapters 2, 3 and 4 of the majority report, differ quite significantly on the conclusions drawn in chapter 2 and the resulting recommendations.

Section 39, it needs to be understood, is the final remnant of residential land within the ACT under the jurisdiction of the National Capital Authority. As Labor committee members, we have sought to find a balance between the need for consistency, certainty and clarity in planning guidelines and consultation processes for the residents and lessees of section 39 and the need to improve prospects for high standard redevelopment, bearing in mind that this residential area—completely fronting State Circle—needs to have special consideration, given its relationship to this precinct and to this House in particular. We hold the view that the principle of consistency in the treatment of residents and lessees in the ACT is overriding. There is one set of planning and consultation rules for all other residents and lessees of the ACT, and we think it should apply to everybody, including these residents.

We believe an appropriate and principled position is to consider uplifting section 39 from designated area status—in other words, handing the planning for that area over to the territory. That would then be subject to the territory plan, as varied from time to time by the ACT government. It would also remove the anomaly of section 39 being, as I have said, the only remnant of residential land in the ACT under the jurisdiction of the National Capital Authority. Notably, such an approach would be consistent with the broad intent of both versions 1 and 2 of draft amendment 39 as presented to our committee by the National Capital Authority. We have to record our considerable concern that it was only in the latter stages of the committee’s consideration of draft amendment 39 that the NCA removed the intention to uplift section 39. We were most concerned about that.

We pay due regard to the fact that State Circle is a road of national significance under the National Capital Plan and that the NCA has a role there as well. We offered a compromise, which was that we would uplift to the territory all of section 39 except for the properties fronting State Circle and that we would allow those to remain within the NCA. This would do two things. Firstly, it would give all residents in that area—of which there are quite a number—the same planning regimes as any other residents in the territory. Secondly, it would give them one planning authority to relate to. The properties bordering straight onto State Circle—in other words, those that have street front-
age—would fall to the NCA, and they would have only one authority to relate to. We are quite disappointed that our compromise was not possible. We thought it was very sensible. We found it quite consistent with version 1 of draft amendment 39 as it was originally presented. We believe that it would have presented the best planning outcomes, allowing only residential development and a height limit of eight metres along that frontage. I would like to think that, despite the fact that ours is a minority report, the considerations put forward in that report would still be considered in the light of sensibility when the government considers the tabling of this report in due course.

The SPEAKER—Order! The time allotted for the report has expired. Does the member for Hinkler wish to move a motion in connection with the report to enable it to be debated at a later stage?

Mr NEVILLE (Hinkler) (1.44 p.m.)—I move:

That the House take note of the report.

I seek leave to continue my remarks later.

Leave granted.

The SPEAKER—In accordance with standing order 102B, the debate is adjourned. The resumption of the debate is made an order of the day for the next sitting. The member will have leave to continue speaking when the debate is resumed.

STATEMENTS BY MEMBERS

Education: Funding

Mr GRIFFIN (Bruce) (1.45 p.m.)—This morning I have had brought to my attention an independent report on education produced by Professor Tony Vinson. This report raises a range of conclusions about education funding in this country. For example, Australia’s investment in education now ranks in the bottom quarter of OECD countries. Federal funding to private schools, however, has increased by 128 per cent. Australia appears to be the only OECD country in which school participation rates fell in the 1990s, yet we lavishily fund those private school systems with high participation and retention rates. Public schools educate the vast majority of children with special education needs, children from Indigenous communities and those who are socially disadvantaged. The great bulk of federal schools money now goes to private schools. Some private schools operate at levels of recurrent expenditure that are more than double that of many government schools, yet still taxpayers’ money goes into them. The federal government spends 0.75 per cent of GDP on schools, but expenditure on public schools within this has declined to 0.26 per cent as the private school share has risen to 0.49 per cent. According to Professor Vinson’s independent review, these policies are ‘creating a system in which inequalities are being exacerbated rather than ameliorated’.

We on this side of the House accept the fact that we have a responsibility to fund private schools. However, in the circumstances this report produces some very worrying—(Time expired)

Forestry Industry: Investment by Commonwealth Bank of Australia

Mr McARTHUR (Corangamite) (1.47 p.m.)—The Wilderness Society is now trying to implement its policies using the Corporations Law to set the agenda in public companies’ annual general meetings. Commonwealth Bank shareholders are currently receiving documents associated with the company’s annual general meeting on 1 November. The bank is obliged to forward the text of a proposed resolution from a group of 159 shareholders representing the Wilderness Society to amend the company’s constitution to bar investment in what they term ‘high conservation value’ or ‘old growth’ forest. The relevant investment is the bank’s stake in Gunns Ltd, a Tasmanian forest products company.

These 159 shareholders make some spurious claims about sustainable forestry. One scientifically unproved claim is that sustainable forestry leads to species extinction. Sweeping claims are made that timber harvesting threatens the wedge-tailed eagle, reduces water supplies and involves the so-called clearing of forests. The wedge-tailed eagle will nest just about anywhere, including telephone poles. Water experts confirm that forest harvesting has practically no effect on water supplies. Sustainable forestry is not forest clearing. There is no net loss of
trees, due to regrowth and regeneration. I urge all shareholders to vote against the resolution, because its claims about the timber industry are patently wrong.

Communications: Media Ownership Rules

Mr MURPHY (Lowe) (1.48 p.m.)—I would like to draw to the attention of the House my question No. 1033, which appears on the Notice Paper today, because it is directly relevant to the Broadcasting Services Amendment (Media Ownership) Bill 2002, which tragically passed through this House recently and is before the Senate. During that debate some members might not have been aware that the member for Calare made quite plain the interference by Mr Kerry Packer when he was employed by Mr Packer for the Nine Network some years ago. I have been speaking out in this chamber about this very important legislation all this year. It proposes that a newspaper proprietor can own newspapers, television stations and radio stations in the one market.

I noticed the other night when Lachlan Murdoch was giving the Andrew Olle lecture that he talked about the need for media companies to make a profit. No-one would have any argument about that. He also talked about diversity, but he did not talk about the need for diversity of opinion and he did not talk about the fact that News Corporation had lost in the order of $7 billion with regard to its failed Gemstar bid and the horrendous loss suffered by One.Tel. Media proprietors over many years have interfered in the political process, and it is against the public interest to further concentrate media ownership in Australia. (Time expired)

Greenway Electorate: Australian Mutual Provident Society

Mr MOSSFIELD (Greenway) (1.51 p.m.)—I rise to inform the House of an industrial issue affecting a constituent of Greenway, Deborah Katnic. Deborah lives in Glenwood and has to drive to her place of employment at Warringah Mall. She also looks after her husband, who is slowly recovering from a work accident, when she is not working. Deborah's problem is that AMP intends to charge employees who work at Warringah Mall $4 a day to park at their workplace. This means effectively a wage cut of $960 a year, completely wiping out the $13.65 wage rise granted earlier this month. In an open letter to the AMP board, Deborah wrote:

Your company has attempted on two prior occasions in the past two years to gouge out my wages through the introduction of a parking fee at Warringah Mall. These two prior attempts thank fully failed.

The problem now is that the AMP is pursuing its greedy grab by seeking an approval
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from the Land and Environment Court for approval for the fee. This is a deplorable action by the AMP and is in stark contrast to its reported decision to pay its outgoing CEO, Paul Batchelor, a golden parachute of $7 million.

I call upon the local member for Warringah, the Minister for Employment and Workplace Relations, Tony Abbott, who has already indicated his support for the employees’ position, to take appropriate action to stop AMP’s disgusting grab for these employees’ wages in order to pay for the obscene golden parachute for their failed CEO. (Time expired)

Hinkler Electorate: Baffle District Residents and Ratepayers Association

Mr NEVILLE (Hinkler) (1.53 p.m.)—On Saturday I attended the opening of the Baffle District Residents and Ratepayers Association’s new office at Baffle Creek. Baffle Creek is a developing area—one might say even a pioneering area—about 85 kilometres north of Bundaberg. The Baffle District Residents and Ratepayers Association are using this office as a base for the community. It will be used as a sounding board for the ratepayers, as a centre for tourism and as the headquarters of the local newspaper, the Bulletin. The Bulletin covers many areas of the district between Bundaberg and Gladstone but in particular the areas of Baffle Creek and Deepwater. The editor of that publication, Ms Cathy Morrison, is charged with getting that information out.

It was a very fine day. It was a community coming together not long after they had opened their church of St Francis of Assisi a month or two earlier. It was another confirmation of the building of a community. The Baffle Creek traders joined with the Baffle District Residents and Ratepayers Association, making a very fine morning of activity, followed by a free sausage sizzle and with all the residents of the district coming together to celebrate this part of their community’s development. I salute those people. (Time expired)

Melbourne Ports Electorate: Russian Community

Mr DANBY (Melbourne Ports) (1.55 p.m.)—The week before last, I attended a great exhibition on the success of immigration in our country, called From Russia with Hope. This exhibition was a demonstration of the success of a small group that came to Australia over the last 20 to 25 years, the Russian community. Many of them live in my electorate. I particularly congratulate Rimma Sverdlina, who organised the exhibition, and Dr Helen Light, the chairman of the Jewish Museum in Victoria, who through the holding of this exhibition and the 3,000 people who attended its opening cemented the museum’s reputation as Victoria’s premier boutique museum.

An enormous number of people in this small community have made a great cultural contribution to Victoria already in things as disparate as Musica Viva, Australian opera and Australian grand master chess. I congratulate in particular former Prime Minister Bob Hawke, who had the honour of opening the exhibition and ceremonies, for his role in bringing this highly productive and wonderfully culturally and intellectually active community to Australia. They are a credit to this country, and we look forward to more of them coming here. (Time expired)

Trek for Kids

Mr LLOYD (Robertson) (1.56 p.m.)—I rise to add my congratulations to former Australian of the Year Alan Border; his wife, Jane; Australian test star Dean Jones; and former Wallaby hooker Phil Kearns on their 1,000-kilometre Trek for Kids, raising money for children’s charities. I had the pleasure of joining AB and the rest of the team on Friday, 11 October, as they walked through my electorate of Robertson. I managed to walk with them for four hours and covered 24 kilometres in that time. I can assure you it was just a taste of the pain that all of them must be going through on this 1000-kilometre trek on their way to Brisbane.

They left the Sydney Cricket Ground early in October and they are intending to walk for 31 days. It is a magnificent effort to raise money for children’s charities: the Spastic
Centre, the Juvenile Diabetes Research Foundation, the Children’s Cancer Institute of Australia and the NBN Kids Project telethon. It is a magnificent effort, and I would like to congratulate Alan Border, the rest of the team and all those who are joining him along the way. I urge people who see the Trek for Kids to please support them very generously and make donations as the team is walking through their towns in northern New South Wales and into Queensland, to Brisbane. If any honourable members here, after parliament rises this week, have the opportunity to join AB and his wife, Jane, on their Trek for Kids, I encourage them to do so. (Time expired)

**Italian Affair Committee**

**Mrs CROSIO** (Prospect) (1.58 p.m.)—I would like to put on the record of the parliament my sincere congratulations to the Italian Affair Committee, which is a group of businessmen who came together 15 years ago to raise funds within our community to help the Spastic Centre and other charities. We had a brilliant night last Saturday. They immediately responded to the problem in Bali by donating $30,000 to the Red Cross and using the rest of the funds to again assist the Spastic Centre and charitable institutions around New South Wales.

This group first came together because of Roy Mittiga’s son, who has cerebral palsy. Roy’s son could not at that time get the attention he needed; rather than complain about it, they decided to come together as a group, raise finances and build the facilities. We now have a wonderful centre in our community, into which they have put $3½ million. It was opened by Paul Keating when he was Prime Minister. I think that people like that, who stand up to be counted in their community, really are the ones that we in this parliament should congratulate. Pat Sergi and your committee, congratulations on a job well done; the $10 million that you have raised since the committee has been in existence is something that we, not only in Sydney and throughout New South Wales but also in Australia, are very proud of.

**Insurance**

**Mr BILLSON** (Dunkley) (1.59 p.m.)—I rise briefly to pass on my community’s thanks and congratulations to Raymond Jones, Managing Director of QBE, and also Graham Crombie, QBE’s travel insurance manager. The willingness of QBE to add its assistance to those in my community seeking to support a family and who have suffered greatly through Bali, by converting benefits available under insurance cover for offshore burial and repatriation into onshore assistance is greatly appreciated and shows generous compassion.

The **SPEAKER**—Order! It being 2 p.m., the debate is interrupted in accordance with standing order 106A.

**MONASH UNIVERSITY: SHOOTING**

**Mr CREAN** (Hotham—Leader of the Opposition) (2.00 p.m.)—On indulgence, can I inform the House of another tragedy that has struck today, this time at Monash Univeristy, which borders my electorate. At 11.20 this morning, a man in his 30s wielding a couple of hand guns opened fire in the corridor of the Menzies Building. Two people have been killed—two men in their twenties, as I understand it—and eight have been wounded, two of them seriously. Five people are in hospital. Two have been taken to the Alfred Hospital, a hospital which we already know is under extreme pressure because of the burns victims from Bali who are being treated there.

Our thoughts go out to the survivors and for their speedy recovery and also to the families, yet again, who will have to live through the horror of young people being struck down innocently by tragedy—this on a day after the nation mourned the victims of Bali and on the same morning that parliamentarians gathered in a national prayer breakfast to, amongst other things, mourn the victims.

Shakespeare said that sorrows don’t come singly; they come in battalions. Unfortunately we seem to be experiencing that wave of battalions. It is important for the House, again, to reflect on these dreadful circumstances. Our thoughts are for the speedy recovery of those who have been injured and, in particular, for the parents and friends of those who have been tragically slain.

I should just point out that the gunman was tackled and apprehended, and we owe
our thanks and appreciation to those brave people who performed that act, because many more, it would seem, could have been injured or slain in the incident.

The SPEAKER—I extend the same indulgence to the Prime Minister before coming to questions without notice.

Mr HOWARD (Bennelong—Prime Minister) (2.02 p.m.)—I have been informed of the details of this tragedy. The loss of any life in such violent circumstances is always a matter of regret, especially when it involves those who are young. I share all the sentiments expressed by the Leader of the Opposition, particularly about the behaviour of the people who apprehended the gunman. I think it is a mark of the courage of people under such challenging circumstances that that kind of behaviour occurs. I hope that the act of those people is properly brought to the attention of the authorities dealing with those sorts of things.

QUESTIONS WITHOUT NOTICE

Indonesia: Terrorist Attacks

Mr CREAN (2.03 p.m.)—My question is to the Prime Minister. Given our time with the families of the victims of the terrorist attack in Bali last week, Prime Minister, can you inform the Australian people when you expect all Australian remains to be brought home? In particular, can you update the House as to how many of the remains of the Australian victims have so far been repatriated to Australia?

Mr HOWARD—Let me say at the outset that the opportunity that I had, accompanied by the Deputy Prime Minister and the Leader of the Opposition, to visit Bali last Thursday evening and Friday was I hope of some help and reassurance and—however inadequate—comfort to the people who have been so sadly affected by these terrible events. My dominant emotion was one of great humility to find in the face of such dreadful adversity people displaying enormous strength and enormous courage.

I know how upsetting it is that the remains have not all been repatriated. Indeed, the current information I have is that at this stage the remains of only one has been repatriated, but more should be, I hope, soon. I cannot tell the House or the Leader of the Opposition exactly how long it is going to take. He was present of course at all of the briefings I had. I should point out to the House that I invited the Leader of the Opposition to all of the briefings that I had from the officials in Bali, and I think it is fair to say that he and the Deputy Prime Minister and I operated as a team in Bali. We were there on behalf of the entire nation; we were not there representing individual political parties. I hope the House would see the visit in that context.

The process of identification will take quite some time. It is hard for the reasons I outlined to the House last week. I can only repeat again my profound understanding to people who are waiting on the repatriation of the remains of a child, a mother, a father, a brother, a sister or a mate. The latest advice I have is that serious concerns are now held for 92 Australians: 41 from New South Wales, 23 from Victoria, eight from Queensland, 15 from Western Australia, three from South Australia, one from Tasmania and one overseas based Australian. DFAT and AFP staff continue to work to reconcile all missing cases reported by families and friends. Resolving the number of unaccounted for Australians will, of course, remain the top priority. AFP and state police officers in Bali and in Australia are working as quickly as possible to expedite identification and repatriation of remains. Forty-three federal and state police are working on victim identification in Bali. State police are contacting relatives in Australia of potential victims to obtain information to assist in the identification process.

My understanding is that the process of contact and collection of DNA relevant material is already very well advanced. As a result I believe that, after an inevitable delay at the beginning because of the difficulty of immediate identification, the process can expect to pick up a little speed. But I should warn the House that we could reach the situation where some remains are never identified. That is a difficult thing to have to say, but it remains the case. I know that some of the families to whom I have spoken were themselves already contemplating that prospect, and it will only add to their grief. As
identification occurs and people are repatriated, those who are left will assume a greater concern regarding that possibility. I do understand the sense of frustration but, unfortunately, the process has to go on to avoid the possibility of mistaken identification.

There are another 25 Australian Federal Police officers working on the investigation in Bali; and there is a total of 109 Australian police, from various forces, in Bali. There is a memorandum of understanding covering the joint investigation that we signed with the Indonesian police last week. The Australian Federal Police have collected 6,000 questionnaires from those at Bali at the time of the bombing to obtain information on the attack, and they are following up with interviews of 450 people. They have made good progress so far, but it is quite impossible to predict how long the investigation will take.

AusAID has been in close contact on the ground with the Bali medical authorities. Twenty-two tonnes of medical supplies from a range of sources have arrived in Bali since the bomb outrage. Local hospitals in Bali do not need any more medical supplies at this stage. AusAID will continue to assist with any specific medical needs, as it did with the provision of plastic surgery equipment and training, and this assistance will arrive this week.

I think all of us would have been seized of the spontaneous response that Australians gave to the national day of mourning yesterday. In different parts of the country, in different ways, according to their own particular desires, Australians marked this terrible event in a respectful, united, sensitive fashion, and it reflects enormous credit on our country that we can respond in that fashion with such genuine, heartfelt feeling.

As I announced last week, there will be an interdenominational national memorial service in the Great Hall of Parliament House on Thursday, 24 October, at 10 a.m. The House will assemble at 9.30 a.m. and then, by agreement between the government and the opposition, it will be immediately adjourned for the rest of the day, and parliament will not meet again until November. The families of those affected by the Bali tragedy have been invited to attend, and the government will cover the travel and accommodation costs of two family members to attend the memorial service. Arrangements can be made through the Ceremonial and Hospitality Unit of the Department of the Prime Minister and Cabinet. I will announce further details of the service tomorrow, but I can indicate to the House that Bishop Tom Frame, who is the senior chaplain of the Australian Defence Force, has been invited by the government to officiate. I also inform the House that the service will include an address from myself and an address from the Leader of the Opposition to reflect in full the completely bipartisan character of the occasion. Other arrangements relating to the service will be announced shortly.

Foreign Affairs: Travel Advice

Mr CAMERON THOMPSON (2.12 p.m.)—My question is addressed to the Minister for Foreign Affairs. Will the minister update the House on Australia’s current travel advice to Indonesia? Given that extremist leader Abu Bakar Bashir has now been detained, does the minister have particular advice for Australians in Indonesia?

Mr DOWNER—I thank the honourable member for Blair for his question and I appreciate the interest he shows in the travel advisories in relation to Indonesia. As the House is aware, we have changed over the last week the travel advisories for Indonesia on a number of occasions. On each occasion these changes have been made to reflect information that has come particularly to intelligence authorities and to other Australian government officials about what could be possible threats to Westerners and, in our case, obviously, particularly Australians. I understand that the Leader of the Opposition has been briefed on some of this information today.

The Department of Foreign Affairs and Trade is continuing to recommend that Australians defer non-essential travel to Indonesia, that all Australians in Indonesia who are concerned about their safety should consider leaving and that those who are there on a short-term basis and whose presence is not essential should depart. We also, to be specific about that, include Bali—that is, Aus-
tralians should defer travel to Bali. Australians in Bali should consider advancing their departures on available flights, and I understand that seats are available on these flights. In the meantime, they should remain in their hotels; avoid public places, where possible; and call home to advise families of their wellbeing—it is very important they do that so that the families are aware of where they are and what they are doing.

The government has authorised, on a voluntary basis, the departure of non-essential staff and all dependants from our various posts in Indonesia and, in particular, our embassy in Jakarta. This is not to say that these posts, our consulates and our embassy will be closing. There still will be substantial numbers of staff available at those missions.

Australians should also be particularly careful in Jakarta, in Balikpapan, in Surabaya and in Yogyakarta. More generally, Australians in Indonesia should exercise extreme caution and avoid commercial and public areas known to be frequented by foreigners: places such as clubs, restaurants, bars, schools, places of worship, outdoor recreation events and tourist areas. We have received reports that certain up-market entertainment areas may be targeted. Also, based on new information, we now note that these tourist areas include resorts outside of the major cities, and historical and cultural locations including the temple of Borobodur.

The honourable member asked about the arrest and detention of the extremist leader Abu Bakar Bashir and whether this had any implications for the safety of Australians in Indonesia. The detention of Abu Bakar Bashir is welcomed by the Australian government and we look forward to the Indonesians successfully questioning Abu Bakar Bashir with a view to obtaining information about the activities of both himself and the organisation of which he is the spiritual leader, Jemaah Islamiyah. It is important that Australians and other Westerners in Indonesia understand that the detention of Abu Bakar Bashir may very well lead to a strong reaction from his supporters and supporters of other extremist organisations including the risk of public demonstrations. Although this has not happened on any significant scale yet, that is not to say that it will not in the future.

So, in the context of the detention of Abu Bakar Bashir, our expectation is that there could be further detentions, further arrests of other extremist leaders in Indonesia. In those circumstances it is extremely important that Australians in Indonesia heed the travel advisories that have been issued by the Department of Foreign Affairs and Trade. It is extremely important that they are aware of the danger of demonstrations and of possible attacks of one kind or another by militants—be they bomb attacks, gun attacks or whatever they may be. It is something that I cannot emphasise strongly enough. There are risks of these types of incidents occurring.

DISTINGUISHED VISITORS

The SPEAKER (2.17 p.m.)—I inform the House that we have present in the gallery this afternoon the Speaker of the Solomon Islands, Sir Peter Kenilorea; the former Speaker of Papua New Guinea, Mr Bernard Narakobi; and the former Prime Minister of Fiji, Major General (retired) Sitiveni Rabuka. On behalf of the House I extend a very warm welcome to each of our guests.

Honourable members—Hear, hear!

QUESTIONS WITHOUT NOTICE

Indonesia: Terrorist Attacks

Mr CREAN (2.17 p.m.)—My question is to the Prime Minister and it follows the answer he gave to my previous question about identifying the missing people in Bali. Can the Prime Minister confirm that the International Commission on Missing Persons has offered its assistance in the process of identifying victims of the Bali terrorist attacks? Has the government taken up this offer of assistance?

Mr HOWARD—In reply to the Leader of the Opposition, I have not been briefed to that effect: I will check that, but I have not. I will find out and I will come back to the House, if I can, before the end of question time.

Indonesia: Terrorist Attacks

Ms JULIE BISHOP (2.18 p.m.)—My question is addressed to the Minister for Foreign Affairs. Would the minister update the
Mr DOWNER—I thank the honourable member for Curtin for her question and for her interest. We commend the Indonesian government for the firm action that it has been taking since 12 October in the face of the threat of terrorism. In answer to the previous question, I spoke a little bit about the detention of Abu Bakar Bashir. Very late on Friday night, President Megawati signed two emergency antiterrorism decrees. These decrees will enable Indonesia to act immediately by providing wider powers to Indonesia’s law enforcement authorities to investigate suspects and prosecute those charged with terrorist crimes, including on the basis of intelligence reports. These are not powers that the Indonesian authorities had prior to the signing of the decree. Very significantly, this decree is retrospective with respect to action against the suspected perpetrators of the Bali bombings.

The government welcomes this much stronger action being taken by the Indonesian government and Indonesian authorities to address terrorism. While we understand that there have been, in the past, some reservations about decrees of this kind—particularly bearing in mind Indonesia’s history—nevertheless it is our view and the view of many of our allies and other regional countries, that Indonesia must act decisively and with fortitude to deal with the problem of terrorism. The signing by President Megawati of these decrees was an important step forward.

As the House knows, Senator Ellison and I visited Bali and Jakarta last week and talked extensively about the priority we gave to there being immediate cooperation between Australia and Indonesia, including cooperation in bringing the perpetrators of the Bali bombings to justice. Let me say five or so days on that I am very encouraged by the positive way in which both our countries have pulled together in the wake of the terrible tragedy. As I said last week, in talks with President Megawati we agreed to establish a joint investigation and intelligence team. That joint investigation and intelligence team had an initial meeting on Friday and it has been agreed that further meetings of the team will be held this week. For our side, the team will include senior officials from our embassy in Jakarta, from ASIO, from the Department of Defence, from the Australian Federal Police as well as the Australian Defence Force.

Australia and Indonesia are also cooperating very closely in their joint investigations of the Bali crime scene, and the House will be interested to know that in addition to the 30 DFAT officers in Bali there are currently more than 81 Australian police in Bali assisting with the investigation. We have 28 Defence personnel, including four chaplains and six investigators. There are six ASIO officers there to assist with the police investigations, four DIMIA staff and two AusAID staff, as well as two AusAID funded medical inventory specialists to assist particularly the hospital in Bali. There are two Federal Police psychologists there and an additional two Defence psychologists will be deployed to Bali.

The point I want to make in answer to the honourable member’s question is that when you look at all of these things together it has to be said that it is extremely encouraging that in the period of just over one week since the tragic bombing in Bali not only has there been good progress made within Indonesia towards addressing the question of terrorism and extremist organisations within Indonesia but also the level of cooperation between Australia and Indonesia is, as we had hoped, without precedent and extraordinarily strong. The joint commitments of our governments in particular not just to provide relief to those affected but also to bring to justice the perpetrators of this heinous crime are extremely strong.

Defence Forces: Health

Mr SERCOMBE (2.24 p.m.)—My question is to the Minister representing the Minister for Defence. Can the minister confirm that, as a result of the government’s decision to outsource all Defence health services in Victoria, with other states soon to follow, all specialist medical personnel who serve the
ADF in Victoria and who have been doing such a terrific job in Bali will return home to find that their jobs have been outsourced?

Mrs VALE—I thank the honourable member for his question. It was following comprehensive market testing processes earlier this year that Mayne Health Services were selected as the preferred tenderer to provide health services to the ADF personnel in Victoria for the next five years. Under the new arrangement, 86 military medical staff will be redeployed to core capability areas such as operational deployable health support units. This decision will enhance Defence’s operational capability.

Importantly, the statement of requirement for the tender maintains, and in some areas improves upon, current health services delivery in Victoria. Areas of improvement will include on base inpatient services at Albury-Wodonga and primary health care at RAAF Williams. The statement of requirement was developed in consultation with current ADF health service providers and client ADF unit and base commanders. The statement of requirement complies with Defence health service standards of care, including access to services, and is consistent with health industry best practice. It goes without saying that Mayne Health Services will still have access to the range of specialist health care providers currently used by Defence. This will continue to include members of the reserve forces.

The benefits of this contract will include improved health service delivery, a more rational and productive use of ADF health assets and a cost saving of some $16 million. The position of Labor on these issues demonstrates a commitment to Defence capability and their legacy of mismanagement that resulted in only 40 per cent of Defence personnel being employed at the sharp end of capability.

Mr Danby—Mr Speaker, could you ask the minister to table the document from which she was reading?

The SPEAKER—Was the minister quoting from a document?

Mrs VALE—Yes, I was.

The SPEAKER—Was the document confidential?

Mrs VALE—Yes, it was.

Indonesia: Terrorist Attacks

Mr LLOYD (2.27 p.m.)—My question is addressed to the Attorney-General. Would the Attorney inform the House of the most recent progress in investigating those responsible for the Bali attacks?

Mr WILLIAMS—I thank the member for Robertson for his question. The House is aware that Australia is working closely with the Indonesian authorities to both identify the victims of the atrocity and hunt down those responsible. As the foreign minister has just indicated, on Friday, 18 October the Australian Federal Police and the Indonesian National Police signed an agreement to form a joint Australia-Indonesia police investigation team into the Bali attacks. This followed meetings between the foreign minister and the justice minister and President Megawati Sukarnoputri and members of her ministry last week.

The agreement gives the AFP equal partnership in the conduct of the investigation and builds on the already strong relationship between investigators in the two countries. It allows for things such as security of the crime scene and the taking of evidence. In addition, a decision has been made to immediately enhance the ASIO presence in Indonesia.

Within 24 hours of the tragedy occurring, a multidisciplined team from Australia was on site in Bali. The AFP is actually highly experienced in complex murder and war crimes investigations and it has a mandate to investigate criminal terrorist acts. It has the experience and the ability to undertake this complex investigation.

I am informed by the AFP that there are currently more than 100 Australian law enforcement, intelligence officers and specialists working in the team in Bali, including about 50 involved in identification of victims. This figure is fluid and will continue to change to meet operational requirements. So we now have a highly experienced multinational forensic and investigative team assembled in Bali, specialising in investigations,
intelligence, explosives and disaster victim identification. The team includes specialists from another 10 countries who are assisting with investigations, intelligence, explosives and disaster victim identification. Some of those have actually had experience at the World Trade Centre and other sites of terrorist attack.

The joint Indonesia-Australia police investigation team is continuing to work closely to determine what happened in Bali and who is responsible for the attack. I have been advised by the AFP that the crime scene is still closed and that the forensic team will be consulted before it is either partially or completely reopened. Despite initial concerns about the time it took to close the crime scene, it is yielding a considerable amount of valuable evidence, and the investigative teams in Bali and Australia are following up on a number of inquiries.

While the forensic examination of the scene is ongoing, it is at this stage too early to confirm the type and number of devices used. The AFP have advised, however, that preliminary evidence suggests that two devices exploded at Paddy’s Bar and the Sari Club at around 11.15 p.m. Bali time. The suggestion of further explosive devices is still being examined. The Australia-Indonesia police investigation team is treating this line of inquiry as a priority, with a thorough forensic examination expected to provide answers as it painstakingly pieces together the complex circumstances. The team is developing three-dimensional imagery of the crime scene to assist investigators in re-creating the tragic events.

In addition to the crime scene investigations, a large volume of information has been received and is being processed in Australia, with witness accounts of the night providing a number of very useful leads. The number of questionnaire responses received from passengers returning to Australia now exceeds 6,000. Our investigation team reports that those questionnaires and interviews conducted to date have been extremely beneficial, with around 450 detailed witness statements to be taken. There are still approximately 100 potential witnesses in hospitals or not in a condition to be spoken to at this stage. I am advised also that it has been established that approximately 200 people were treated by Australian Defence Force personnel in Bali and discharged. The AFP has now obtained the details for these people, and they are to be traced internationally and interviewed regarding evidence that they may have.

In Australia, the investigation currently involves more than 400 AFP personnel. In addition, the AFP’s international network is working with overseas partners to gather evidence. Again, these numbers are fluid and are likely to grow as avenues of inquiry are pursued here and abroad. As the foreign minister said, Australia continues to work very closely and cooperatively with Indonesia and with other countries to hunt down those responsible for this atrocity. We are determined that they will be brought to justice.

Indonesia: Terrorist Attacks

Ms HALL (2.32 p.m.)—My question is to the Prime Minister. Can the Prime Minister confirm that the Department of Defence received an internal memo prepared by the principal security adviser of the Defence Security Authority on 27 August 2002 concerning the state of security for Western and Australian citizens in Indonesia, including Bali? Prime Minister, could you advise the House whether this information was passed on to the Department of Foreign Affairs and Trade or others responsible for the preparation of security and travel warnings for Australian citizens?

Mr HOWARD—I understand that the question from the member for Shortland—and she will correct me if I am wrong—relates to the Department of Defence originated email that was referred to in the media over the weekend. Is that correct?

Ms Hall—Yes.

Mr HOWARD—I am not trying to be clever about this.

The SPEAKER—I respect the dilemma that the member for Shortland found herself in. She is welcome to respond to the Prime Minister through the chair.
Ms Hall—Yes, it was the memo received.

Mr HOWARD—There have been different descriptions given to the same communication, and I just wanted to isolate it. I naturally had that checked out and I have been advised as follows. Defence did not have any information available to suggest that there was a specific threat in Bali. Defence security staff did not have access to any material not available to and being considered by other agencies and taken into account in threat assessments and travel advisories. On the information available to me, that email is being misinterpreted, and some of the reporting of the email is not consistent with its content.

**Indonesia: Terrorist Attacks**

Dr WASHER (2.35 p.m.)—My question is addressed to the Minister for Ageing, representing the Minister for Health and Ageing. Would the minister update the House on the Australian government’s efforts to treat the victims of the 12 October terrorist attack in Bali?

Mr ANDREWS—I thank the honourable member for Moore for his question and for his ongoing interest in the consequences of this tragedy. Over the weekend, my department continued to liaise with state health authorities about the provision of hospital treatment for the victims of the Bali tragedy. As of today, I can advise the House that a total of 91 Australian and foreign national patients, excluding Indonesian nationals, are being treated in various Australian hospitals. The distribution of these patients is as follows: there are 22 in hospitals in New South Wales, nine in Victoria, 14 in Queensland, five in South Australia, 36 in Western Australia and five in the Northern Territory. The health system is coping with this unexpected and considerable increase in demand for its services, and I think that stands as a tribute to the doctors, nurses and other medical personnel in these various hospitals throughout Australia. In addition to those people, three seriously burnt Indonesian patients were flown to Darwin last Saturday. One of these patients regrettably died soon after being admitted to the Darwin Hospital, and the two other patients were transferred to Perth later that day. I am advised that their condition currently is stable.

I can also advise the House that each of the state and territory health departments is providing a comprehensive range of counselling services for victims of the Bali bombings and their friends and relatives. The Commonwealth will cover any out-of-pocket costs for the treatment of injuries directly attributable to the bombings in Bali. The assistance will cover the difference between the Medicare rebate and the fee charged by the doctor for medical services, the full cost of pharmaceuticals under the PBS, including any copayments that normally would be payable, and the cost of allied health services that are certified by a doctor as necessary and related to the injury. The Commonwealth will be paying for economy air travel for the patient and accompanying family members to travel from hospital to their home town and will also meet the cost of road or rail transport. The Department of Health and Ageing, in collaboration with the Department of Family and Community Services and the state health authorities, has established a mechanism to manage this initiative.

Finally, I inform the House that the Minister for Health and Ageing, Senator Patterson, is today and tomorrow visiting hospitals in Darwin, Perth, Adelaide and Melbourne to meet the victims of the bombings in Bali and their families and, importantly, to thank all those medical staff whose magnificent services have been a wonderful response to this sad occasion.

**National Security: Terrorism**

Mr MELHAM (2.38 p.m.)—My question is to the Attorney-General. Can the Attorney-General advise the House as to whether the US worldwide caution public announcement of 10 October, which was issued following the release of an audio tape attributed to Osama bin Laden earlier in October, formed part of the basis of the Attorney-General’s 11 October security warning of terrorist threats to power stations in Australia, which was broadcast on Australian national television that evening?

Mr WILLIAMS—I thank the member for Banks for his question. The information
upon which the Australian government relied in issuing the warning on 11 October came directly from the United States government. I am not in a position to respond to the member for Banks to say exactly on what information the United States government relied, but we acted promptly on what we were told by it.

National Security: Terrorism

Mr DUTTON (2.39 p.m.)—My question is addressed to the Attorney-General. Would the Attorney inform the House of the importance to Australia’s security of enhancing the ability of ASIO to prevent terrorist attacks? What obstacles exist to prevent the government increasing our national security?

Mr WILLIAMS—I thank the member for Dickson for his question. Enhancing ASIO’s ability to obtain information which may prevent a terrorist attack in Australia is a vital element of the government’s legislative response to the new security environment. Since the events of 11 September and 12 October have made this environment so terrifyingly real, we have consistently argued that we are not immune from terrorism. We need to give our security agencies the tough tools which will enable them to do all they can to protect the community from terrorist attack. Sadly, we now know at horrific cost that our region—and indeed Australia’s shores—is not immune from the evils of terrorism. It is even clearer that we must do all we can to protect Australians and Australian interests.

The Australian Security Intelligence Organisation Legislation Amendment (Terrorism) Bill 2002 is currently before the Senate. If passed, it will help us to attack terrorism at its source. As ASIO has stated in its unclassified annual report and as I have repeatedly stated, there are groups within Australia which are sympathetic to terrorists and their interests. It is important in this environment that we strengthen ASIO’s ability to gather intelligence about possible terrorist attacks which will assist to deter and prevent them.

Senator Faulkner claimed in today’s Australian that the ASIO bill goes further than corresponding legislation in other countries facing terrorist threats, such as the United Kingdom and United States. This is wrong. If a person has information relevant to the gathering of intelligence in relation to a terrorism offence or a possible terrorism offence, the community can legitimately expect that that person should provide the information to the authorities. Where they are unwilling to do so and a warrant as provided under the ASIO bill is required, the bill contains significantly more safeguards than laws in other countries, such as the United Kingdom and Canada. The bill contains a detailed warrant procedure that must be followed before a person can be detained or questioned. The procedure requires the agreement of the federal Attorney-General, a federal judge, a federal magistrate or other authority.

In Canada, a person may be detained for 24 hours before a warrant is sought. In the United Kingdom, a police constable may detain a person suspected of being a terrorist, without a warrant. In the United States, the Patriot Act 2001 provides that a person may be detained for up to seven days, if the Attorney General certifies that the person endangers national security. In addition, our bill contains a number of safeguards, including a role for the Inspector-General of Intelligence and Security.

As the House would be aware, the bill has already been through a very thorough process of committee examination. It has been closely examined by two parliamentary committees and significant amendments have been made in response to their recommendations. I repeat the offer to the opposition’s leadership team to sit down and discuss their concerns so that we might move forward with this important tool against terrorism. I am disappointed that that offer has not been taken up. The government is and always has been mindful that we must not erode civil rights in the name of security. That is why the bill includes such extensive safeguards, more than apply in those countries which have already given their agencies similar powers.

It is important to remember that terrorism is a direct and deadly assault on our human rights. We must ensure that we provide an environment where those entrusted with protecting our rights from terrorist assault
have the tools which enable them to do so, and we must do so without delay. The government is taking steps to have the ASIO bill treated as an urgent bill in the Senate. It is up to the opposition to say whether they will support ASIO having the enhanced powers it needs.

National Security: Terrorism

Mr Rudd (2.44 p.m.)—My question is directed to the Attorney-General. I refer to the Attorney’s response to the question from the honourable member for Banks, when he said that the government had received information direct from the government of the United States relevant to the security of power stations and that the Australian government had acted on that. Attorney, did this information obtained from the United States deal exclusively with the security of power stations and infrastructure, or did it cover other matters as well?

Mr Williams—I was not the direct recipient of that information. What I was advised to do, I did do. I will check to see whether there was any wider information provided to the authorities upon which we were advised to act and I will report back to the House. It may be that the information will be classified and there is not much more I can add, but I will endeavour to see if there is anything I can add.

Bushfires

Mr Baldwin (2.45 p.m.)—My question is addressed to the Minister for Regional Services, Territories and Local Government. The minister and the House would be aware of the intense bushfire situation in Australia, in particular in the Hunter region over the weekend. Would the minister advise the House of measures taken by the Commonwealth to assist the states to deal with the bushfire menace?

Mr Tuckey—I thank the member for Paterson for his question and the interest he has displayed during this period in keeping my office informed of the great difficulties that people are experiencing within his electorate and region. On Thursday night last week I was able to be present at Sydney airport to witness the unloading of two Erickson heavy-lift helicopters—frequently known as Elvis helicopters—from an Antonov air freighter. These Elvis helicopters are already in service in the Hunter Valley and the Blue Mountains, addressing the fires that are raging there. The delivery costs of these two aircraft exceeded the cost of sea freight by approximately $800,000. Further to its promise to state government agencies to meet half the cost of the sea freight and leasing of three of these helicopters at a cost of up to approximately $5.5 million, the Howard government has also committed to paying half the additional cost for the air-freight involved.

The following information has been provided to me, and I am sure it will be of interest to the House. As things stand today, some 800 firefighters are working to contain 60 bushfires across New South Wales. I again record the thanks and the congratualtions of our government and, I am sure, this House, to those firefighters who are out there doing that work in quite difficult circumstances. Furthermore, I would like to advise the House that I was in the electorate of Gilmore on Friday, where I was able to confirm and complete the arrangements for grants of $100,000 to the firefighting community there for pagers to replace the redundant ones they had and of $18,000 for an adequate catering facility so that the volunteers involved in that aspect of the work are able to support the courageous people when they are out fighting fires.

Twenty fires are burning out of control throughout New South Wales today. There are 51 fires burning in New South Wales national parks. Twenty-two of these are categorised as bushfire emergencies—in other words, too large for local forces to deal with. Some 300 national park staff are attending to the fire situation across the state. Fortunately, as we speak, no property is under threat. As is known to the House, 13 families lost their homes in the weekend bushfires at Kitchener and Abernethy near Cessnock in the Hunter Valley. These fires are still posing the greatest concern to the firefighters. I must unfortunately add that 10 houses were also lost at Engadine a week or so ago.

Mr Crean interjecting—
Mr TUCKEY—I think worrying about pronunciations in a matter as serious as this is not really needed. I wish to add to that information with the tragic news that a 55-year-old man from Chatswood died when his car was engulfed in flames on Kearsley Road, Abernethy. Also, a Queensland bushfire which killed a woman last Thursday has been contained, as has a fire in a national park on Queensland’s Granite Belt in the southern border region. In that case, it is estimated that 285 square kilometres of farm and bushland have been burnt around Stanhope, Eukey and Baradine. Media reports indicate that 234 people were evacuated.

My department and I are continuing to monitor those circumstances and to address the issue of what other assistance might be available—remembering, of course, that firefighting and aspects of it are the constitutional responsibility of state governments, which do have all of the expertise and capacity necessary. The capacity of our government to respond in the way we did with that financial assistance arose from an initiative taken by this government at the beginning of this calendar year when we offered the Australian Fire Authorities Council, AFAC, $50,000 to address some form of unified response to the very expensive problems we have with aerial firefighting assets. We received that advice and were able to respond with our offer.

The other issue of considerable concern is fire prevention. The report of the select committee of the New South Wales parliament into last year’s bushfires gives us some quite alarming statistics. The information provided in that report points out that the manager of New South Wales National Parks and Wildlife Service had conducted only 19,000 hectares of hazard reduction in the previous 12 months; in fact, 0.37 per cent of the area under their responsibility. Subsequently, 750,000 hectares of the forests they control were destroyed in those fires. Conversely, State Forests of New South Wales, the other department responsible, had conducted 100,000 hectares, or 15.5 per cent, of hazard reduction in the forests under their responsibility and had a consistent history in that regard. They lost 2,000 hectares of forest—in other words, the difference between a disaster and something that would have hardly rated a mention.

These are issues for the future. It is no good talking about them until we can put all the fires out. Our government not only will continue to provide all the assistance it can—the nature of which we have already identified—but also, in terms of those personally affected, in association with state governments, will continue to make available personal hardship and distress payments, concessional interest rate loans and grants, payments to replace essential public assets and payments for financial and psychological counselling where required.

Foreign Affairs: Travel Advice

Mr RUDD (2.53 p.m.)—My question is to the Minister for Foreign Affairs. Will the minister advise the House as to the feasibility of a proposal by the opposition—the subject of correspondence between me and the minister just before question time—that in future the Australian travel industry be required at the time of booking to disseminate the core content of travel advisories to Australians travelling abroad and to direct them as to how to obtain the full text of those travel advisories prior to departure? Can the minister also advise the House as to his response to our proposal that measures be put in place to improve the dissemination of embassy bulletins for Australians travelling in countries of concern or Australians living in those countries?

Mr DOWNER—I thank the honourable member for his question. He did advise my office before question time that he was going to ask the question. I have not yet received the letter, so I have not been able to read it. But let me just say, in a broad sense, that over the last two or three years my department has made a particular effort to try to improve the accessibility of travel advisories, and some of the statistics are illustrative of that. Obviously since the Bali tragedy things have changed dramatically, but prior to the Bali tragedy my department’s web site was averaging 85,000 hits per week for travel advisories, and that was up from only 30,000 hits per week prior to 11 September 2001. So there has been a substantial improvement in
the use, if you like, of the Internet access to the Department of Foreign Affairs and Trade web site and to the travel advisories on it.

Nevertheless, the department has also been working over the last couple of years to ensure that the travel advisories are better disseminated to travel agents, airlines and the like. After 12 October, I did say to my department, ‘We still need to ask ourselves whether sufficient numbers of people read travel advisories,’ and the honourable member is really getting to the heart of that point with his question and suggestions. Last week, I asked the department to give consideration to whether it is practical to expand the scope of the dissemination of travel advisories. There are a lot of different options you could consider there. I might mention, for the interest of the House, some of the options that could be implemented by the government, although we have made no decisions—and I will look at the honourable member’s letter to see what he suggests in that and how practical those suggestions are as well.

I will give four examples. The first is the placement of touch screen kiosks providing travel advice at airports and other locations frequented by prospective Australian travellers. It strikes me that when you go into the international terminal at an Australian airport—and you can rest assured that that is something I do fairly often—there is no sign of travel advisories. They are not there. So, on the face of it, as I said to the department, it would make a lot of sense for travel advisories to be made available in international terminals. Their suggestion that this could be done through touch screens is, I think, quite a good idea.

The second idea being considered is convenience advertising, in which the department takes out advertising space in places like airport bathrooms and toilet facilities, travel sections of newspapers and so on. Thirdly, since passports are frequently obtained through post offices, consideration is being given to advertising in post offices. Fourthly, consideration is also being given to negotiating with post offices—or with another national network—to provide copies of travel advisories on request.

This is a live issue for the government. It is something we need to consider. I will have a look at the ideas put forward by the honourable member, because it would be good if there were a simple, really effective way of getting travel advisories out to everyone. Travel agents get them, but they make the decision as to whether or not they show those travel advisories to people who go into travel agents to book their tickets. Nowadays a lot of people get electronic tickets, as do many of us in this House. You go to the check-in desk and you are just given a boarding pass after showing identification. You show your passport and answer a few questions about your luggage, but no travel advisory is provided in those circumstances. Is it practical to have them provided there? These are the sorts of issues we are having a look at.

Drought

Mr JOHN COBB (2.58 p.m.)—My question is addressed to the Minister for Agriculture, Fisheries and Forestry. Would the minister advise the House of the latest on the expanding drought situation. What Commonwealth government assistance is being made available to farmers and their communities during this difficult time?

Mr TRUSS—I thank the honourable member for Parkes for the question. Having visited his electorate recently, I know that he represents a very large proportion of the areas in New South Wales that are seriously affected by drought. Indeed, much of the grain belt and the pastoral areas of Australia are suffering from excessively low rainfall and clearly that is having a significant impact on farm incomes. The weather conditions over September were little better and some of the forecasts also give us little reason for optimism. ABARE will be making some revised, updated crop reports next week, but it is hard to believe that they will be any better than the gloomy prospects that have been reported in recent weeks.

Last week the Wheat Board downgraded its forecast for the Australian wheat crop to the range of 11 million to 13 million tonnes. I think it is important to point out that, whilst the crop is obviously going to be poor, there will not be a shortage of grain in Australia.
The Wheat Board already has carryover stocks in store from last year and with this season’s harvest already commencing there will be adequate supplies of grain, but it could be very expensive. Those who need grain for feed are concerned about the high cost of the grain and naturally are looking towards imports. It is possible to import grain into Australia, but we are not prepared to compromise our pest and disease status, so imports also are likely to be expensive, and that adds to farm costs. ABARE has estimated that farm income will be down about $3.8 billion this year and that has a flow-on effect to country towns and indeed to the whole of the national economy.

The member particularly asked about assistance that is available to farm families in crisis. The Farm Help program is an ongoing program available to farmers facing financial difficulty. There are well over 1,000 farmers now in Australia who are receiving welfare assistance through that program and, if they make a decision during the time they are receiving that assistance that they need to leave agriculture, they can receive a $45,000 exit payment to make their movement out of agriculture a little less painful. The government has recently recommitted to the Rural Financial Counselling Service. There are 63 community based counsellors available to provide assistance to people who need some help in this time to make decisions about their future.

The Farm Management Deposit Scheme is helping a lot of farmers through this dry spell to be able to manage their own way through the difficulties. There is currently over $2 billion in the Farm Management Deposit Scheme and at least $1 billion of that is available to farmers who have provided investments over the years to help them through these difficult times. There have been substantial tax benefits available to make this scheme so worthwhile and it is undoubtedly going to be of enormous assistance to rural Australia in getting through these difficult times.

But there are some places where even for the most prudent managers, those putting aside in the good times for the bad, the circumstances are such that it is beyond their capacity to cope, and the exceptional circumstances arrangements are designed to help those cases. There are three areas in Australia that received exceptional circumstances declarations last year: the grain belt in Western Australia, the Darling Downs in Queensland and the Central Highlands areas of Tasmania. Farmers in those areas are still receiving welfare and interest rate assistance as a result of the declarations. In the Burke and Brewarrina area, as a result of the government’s decision to bring forward the consideration of applications where possible through the use of predicting modelling, welfare assistance is now available to successful applicants. There are also reports that a number of other applications will be coming forward from New South Wales and also from the Queensland government for the Peak Downs and Capella region. Naturally, when those applications come forward they will be given careful consideration. The NRAC have already visited the Burke and Brewarrina area and are preparing a report to the government on whether it should be declared, and they have also made a preliminary visit to Queensland.

The government stand ready to provide assistance wherever we can to farmers who are facing difficulties. The states also have in place some assistance measures, and they are appreciated. Of course, there is the Farmhand Foundation now which is providing an opportunity for people in the community to make financial contributions towards the needs of drought-stricken primary producers, and also will help provide some planning to deal with droughts in the future. I commend those appeals and that support mechanism to those farmers who are facing the real difficulties associated with drought, and assure them of the government’s concern for their situation and its willingness to help wherever possible.

**Indonesia: Terrorist Attacks**

Mr MURPHY (3.04 p.m.)—My question is to Minister for Ageing, representing the Minister for Health and Ageing. Minister, are you able to advise the House of the detail of the agreement put in place by Commonwealth, state and territory health ministers in July of this year to produce a national re-
sponse to major incidents involving burns? In light of the Bali terrorist attack and the ever present danger of bushfires, can the minister indicate whether the implementation of the plan will now be made a priority?

Mr ANDREWS—I thank the honourable member for Lowe for his question. As he indicated in his question, at the July meeting of the Australian Health Ministers Council it was agreed by the respective Commonwealth, state and territory ministers that a working party would be formed to produce a coordinated response plan for Australia in the event of a major incident that overwhelms the resources of burns management services. Indeed, the carriage for the establishment and the ongoing work of this working group was given to Western Australia and to the Department of Health in that state. I am informed that this work, under the carriage of Western Australia, is currently in its preliminary stages. I can indicate to the honourable member and to the House generally that, if the matter is not raised again at the next meeting of the Commonwealth, state and territory health ministers in terms of the items on the agenda, the Commonwealth will ensure that it is on the agenda.

While I believe that all members would hope and pray that we would never require such extensive medical services again, particularly those involving the burns units, we will naturally use the response right around Australia to this tragedy to ensure that services are in a state of appropriate readiness in the future, and to learn from this. I emphasise again, as I did in answer to an earlier question, that I think all members and senators acknowledge the magnificent work which has been undertaken, particularly by the burns units in the various hospitals right throughout Australia.

Economy: Performance

Mr GEORGIOU (3.07 p.m.)—My question is addressed to the Treasurer. Would the Treasurer advise the House of the results of Moody’s latest review of Australia’s credit rating and provide the House with an update on the Australian economy?

Mr COSTELLO—I thank the honourable member for Kooyong for his question. I can advise the House that Moody’s rating agency today upgraded Australia to a AAA credit rating on Australia’s foreign currency debt and deposits. The Commonwealth credit rating was downgraded by Moody’s on two occasions: once in 1986 to AA1 and a second time in 1989 to AA2. The upgrading to a AAA credit rating today upgraded Australia’s rating by two positions to the AAA mark. Standard and Poor’s rating also downgraded Australia twice: once in 1986 to AA+ and once in 1989 to AA. It upgraded Australia back to AA+ in 1999, but Australia is still not at the top rating by Standard and Poor’s.

We welcome the fact that Moody’s has upgraded Australia today to a AAA credit rating. This not only affects the Commonwealth but increases the rating ceiling that can be applied to other domestic residents, including state governments and private sector companies—that is, state governments and private sector companies cannot go higher than the Commonwealth rating. Now that the Commonwealth has been re-rated up, the states and private companies can be accordingly. Moody’s today, as a consequence of this upgrading, also upgraded the Commonwealth Bank of Australia, the Commonwealth Development Bank of Australia, the AIDC, EFIC, the New South Wales Treasury Corporation, the Queensland Treasury Corporation, the Western Australian Treasury Corporation and the Treasury Corporation of Victoria.

Upgrading Australia to a AAA credit rating was the result of a reassessment and, in part, a methodology change adopted by Moody’s. It indicates that Australia is now at the very top of Moody’s credit rating, bringing us into line with the advanced OECD country grouping, including the United States, the United Kingdom, France and Germany. Today, New Zealand and Iceland were also upgraded. The consequence of that is that those states and companies which have followed the Commonwealth up with a higher credit rating will be able to borrow at a lower risk premium, and their financial position accordingly will be strengthened. For those governments that are borrowing, being able to borrow at lower interest rates
means that taxpayers will get better value. Australia returns to the top credit rating that Moody’s allows in relation to bonds and deposits on foreign currency—the AAA credit rating.

Regional Services: Firefighting

Mr GAVAN O’CONNOR (3.10 p.m.)—My question is to the Deputy Prime Minister. Deputy Prime Minister, do you recall that, while you were touring the fire ravaged Shoalhaven in January this year, you called for a federal-state summit to consider ways to best prepare and coordinate services in the event of another fire disaster? Can you confirm that, more than 10 months later and despite the acute fire danger that we now face, this summit has not taken place? Deputy Prime Minister, could you advise the House of the government’s timetable for convening this summit?

Mr ANDERSON—I thank the honourable member for his question. I certainly recall touring the area, and I did so with the extraordinarily active member for the region—who at that stage was Joanna Gash—who was at that stage herself a volunteer firefighter, which I think reflected very well on her. I will check the media reportage and transcripts of anything I actually said, but my quite clear recollection was—

Mr Fitzgibbon—What are you going to check it for if it is clear?

Mr ANDERSON—It is an important matter. I do not run away from that at all. The commitment I gave was to the effect that we would cooperate in seeking to draw together in areas where there might be seen to be an inadequate capacity to respond properly, nationally, in a coordinated and consistent way, to fire emergencies. I do not think I set out any prescriptions as to how that ought to be taken forward. I indicated that we would make available some resources and our full cooperation to seek a properly funded and coordinated way forward across the nation. To the best of my knowledge, that has been undertaken in no small way, fully adequately, by the minister for territories. I will check the wording but, again, I do not think I made any commitment to a summit. I think it is an interesting reflection on the Labor Party that they believe you cannot seek any way forward without a summit.

Regional Services: Firefighting

Mr GAVAN O’CONNOR (3.13 p.m.)—My question is to the Minister for Regional Services, Territories and Local Government. Minister, do you recall on 2 April 2002 that you issued a press release stating:

... the Government was developing a national firefighting strategy in partnership with State and Territory governments. The strategy will take into account traditional methods of firefighting while recognising the advances in new technologies. Given that you noted the seriousness of this issue in April, and given recent bushfires in New South Wales and Queensland, could you inform the House on what progress has been made in developing a national bushfire strategy? When will you be in a position to announce it?

Mr TUCKEY—If the shadow minister had been listening, he would be aware that that strategy is well advanced. If he were also acquainted with the functions of firefighting in Australia, he would know that state governments and their relative agencies have the expertise and the normal responsibility in this regard. Consequently, a national approach was implemented by the Deputy Prime Minister writing to a group called AFAC—which, I am sure, the shadow minister would know is the Australian Fire Authorities Council—because they happen to know a bit about fighting fires.

Mr Crean interjecting—

Mr TUCKEY—You want to learn a bit about that; you’ve got a few. The Deputy Prime Minister wrote to that group, with covering letters, as I understand, to the appropriate ministers, because they are fully informed. That body was given $50,000 for the purpose of producing a strategy but, more importantly, on the better use of aerial firefighting assets. It is not uncommon around the world in places like Canada, with a similar geographic spread to Australia, to have an arrangement whereby the provinces, as they are known in Canada, have ownership of assets for fighting fires and those assets are coordinated so that they can all be where the fire happens to be.
About two months ago a report was given to me by that authority. It was in two parts. One was a list of the assets they needed for aerial firefighting, with a request that the Commonwealth government pay for virtually all of them, and advice that for another $200,000 they could go forward with a more detailed strategy. One would hope that that would include the standardisation of pipe fittings between New South Wales and Victoria so that when there is a crossover of volunteer firefighters they can actually connect to the tap. But that work is yet to be done. The Australian Fire Authorities Council—presumably at the direction of their ministers; no secrets have been kept from them—have failed to go on with the detailed work.

The reality is that the Commonwealth government have taken the initiative as promised. It is an initiative to which I referred. We still await the advice of the experts. We are unable to be the expert in an area where we do not have a department fully committed. It is a state responsibility. Our initiative was to bring it together. I remind the House that in response to that request for some $20-plus million—nearly $28 million—the government immediately offered to address the difficulty associated with bringing in the very heavy helicopters from overseas. This was a financial commitment that had to be made up front. Most of the other assets, if not all of them, are available in Australia. Some, like crop-dusters, are typically not in operation in their traditional work at that time of the year. There was no real reason for the Commonwealth to make offers in that regard.

What is more, when we started having fires in October, we immediately offered to put up half of the air freight to get those helicopters here. They are out there saving lives at the moment. If that is not a national strategy, Mr Prime Minister, I would like the shadow minister to tell me what is.

Mr Howard—Mr Speaker, I ask that further questions be placed on the Notice Paper.
seek an early reply to those questions. Thank you.

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

PETITIONS

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

**Immigration: Asylum Seekers**

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 Attendees at the St Joseph’s Catholic Church, Boronia, Victoria 3155, petition the House of Representatives in support of the abovementioned Motion.

And we, as in duty bound will ever pray.

by **Mr Charles** (from 56 citizens).

**Immigration: Asylum Seekers**

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 Attendees at the St Mark’s Anglican Church, Balnarring 3920, petition the House of Representatives in support of the abovementioned Motion.

And we, as in duty bound will ever pray.

by **Ms Corcoran** (from 14 citizens).

**Immigration: Asylum Seekers**

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 Attendees at the Uniting Church, Parkdale, Victoria 3195, petition the House of Representatives in support of the abovementioned Motion.

And we, as in duty bound will ever pray.

by **Ms Corcoran** (from 14 citizens).
Monday, 21 October 2002

selves, and the undersigned, the individual, undersigned Attendees at the ‘Daybreak in Detention’ Rally at North Melbourne 3051, petition the House of Representatives in support of the abovementioned Motion.

And we, as in duty bound will ever pray.

by Mr Kelvin Thomson (from 31 citizens).

Health: Pharmaceutical Benefits Scheme
To the Honourable 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:
That increases to the Pharmaceutical Benefits Scheme in the 2002 budget will hit those that can least afford it, families and pensioners.
That this Government should remember the commitments made before the 2001 election in regard to the cost of prescription drugs.
We therefore pray that the House oppose the Howard-Costello plan to increase the cost of prescription drugs for Australians.

by Mr Martin Ferguson (from 21 citizens).

Health: Pharmaceutical Benefits Scheme
To the Honourable 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:
That increases to the Pharmaceutical Benefits Scheme in the 2002 budget will hit those that can least afford it, families and pensioners.
That this Government should remember the commitments made before the 2001 election in regard to the cost of prescription drugs.
We therefore pray that the House oppose the Howard-Costello plan to increase the cost of prescription drugs for Australians.

by Ms Hall (from 70 citizens).

Nuclear Armed and Powered Vessels
To the Speaker and Members of the House of Representatives assembled:
We, the undersigned residents of Australia ask that the House of Representatives consider the health and welfare of the present and future residents of this country and the environmental impacts of possible negative impacts relating to the visits of nuclear powered and/armed vessels into Australian ports.
Nuclear navies are not welcome here whatever the colour of their flags.
The recent spate of accidents involving nuclear-powered submarines should be enough to convince all governments that the risk to the environment of these floating Chernobyls is a risk we don’t have to take.
Accordingly, we respectfully request that the Parliament legislate to prevent all visits of nuclear armed/powered vessels to Australian ports and waters.
And your petitioners as in duty bound, will ever humbly pray.

by Ms Jann McFarlane (from 140 citizens).

Nuclear Armed and Powered Vessels
To the Speaker and Members of the House of Representatives assembled:
We, the undersigned residents of Australia ask that the House of Representatives consider the health and welfare of the present and future residents of this country and the environmental impacts of possible negative impacts relating to the visits of nuclear powered and/armed vessels into Australian ports.
Nuclear navies are not welcome here whatever the colour of their flags.
The recent spate of accidents involving nuclear-powered submarines should be enough to convince all governments that the risk to the environment of these floating Chernobyls is a risk we don’t have to take.
Accordingly, we respectfully request that the Parliament legislate to prevent all visits of nuclear armed/powered vessels to Australian ports and waters.
And your petitioners as in duty bound, will ever humbly pray.

by Mr Stephen Smith (from 342 citizens).

Fuel: Alternatives
To the Honourable the Speaker and Members of the Federal Parliament in Australia.
This petition of Australian residents draws the attention of the House to the necessity and urgency to help develop and commercialise alternative fuels.
Your petitioners request that the Parliament immediately recognise the impact of petrol on po-
ple’s lives (including price and health effects) and our state of dependency towards ‘oil’ countries. We Australians want and deserve clean and renewable fuel supplies. We demand that the Parliament accelerate the commercialisation of ethanol, bio-diesel, methane, natural gas and other clean alternative fuels.

Actions must be taken now to provide Australia’s future generations with clean and renewable energies.

by Mr Anthony (from 31 citizens).

France: Australian War Graves

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, plans by the French government to construct an international airport on the graves of Australian servicemen who died in France during World War I. Construction of this airport by the French government would desecrate the marked and unmarked graves of Australians who made the ultimate sacrifice.

Australian servicemen played a vital role in the defence of France and their sacrifice will be dishonoured if their remains are buried under tonnes of concrete runways. Families of those who died may never know where their ancestors’ remains are located and they may be unable to pay their proper respects to their loved ones.

We the undersigned request the House to act quickly to protect the sacred remains of Australians who fought and died so that we may live in freedom.

by Mr Causley (from 63 citizens).

Suicide Bombing

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

We the citizens of Australia note that the practice of suicide bombing is a crime against humanity. This crime and its participants, organisers and supporters are guilty of a crime which has been committed against innocent civilians.

Further, we the undersigned note that there is no moral, religious, or political justification for this crime.

Your petitioners declare therefore that the perpetrators of these crimes should be prosecuted and punished by the appropriate international courts of justice.

We the citizens of Australia call on the House to act immediately to facilitate a debate at the next United Nations conference to declare, clearly and unequivocally, that the practice of suicide bombing is a crime against humanity.

by Mr Danby (from 2,109 citizens).

Veterans: Gold Card

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

The petition of certain citizens of Australia believe World War II British, Polish and Allied ex-service personnel over 70 years of age are naturalised citizens of Australia and served in a theatre of war as recognised by the Australian government should be granted gold card benefits.

Your petitioners therefore pray that the House legislate accordingly.

by Mrs Draper (from 797 citizens).

Education: Funding

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

To overturn the decision by Education Minister Brendan Nelson to terminate funding for the teaching of Asian languages in Australian schools.

Students, parents, teachers and Australian business people draw to the attention of the House the major damage the termination of the National Asian Languages and Studies Strategy for Australian Schools (NALSAS) will have on Australia’s future.

This program is vital to the educational and economic interests of our nation.

Moreover, its unnecessary termination will further jeopardise Australia’s standing in Asia.

Your petitioners request that the House call on the Education Minister to reverse his decision and to continue funding this valued investment in Australia’s long-term national interest.

by Mrs Draper (from 36 citizens).

Medicare: Logan City

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

The petition of certain electors in the State of Queensland draws to the attention of the House that a Medicare Office is not located in the western suburbs of Logan City.

In the main, these signatories are from residents of the suburbs of Logan, the northern suburbs of
Beaudesert Shire and the southern suburbs of Brisbane.
This area has been consistently recognised in consecutive censuses as being amongst the highest population growth areas in the country.
This area contains a large percentage of young families who have indicated that a Medicare Office in the area is important to them. In addition, the residents of this region have indicated that the office should be located in the Grand Plaza Shopping Centre which is a major regional centre and is the hub of retail, community and social interaction for the western suburbs of Logan City Council, together with the residents and signatories to the petition, believes it to be an ideal location for the establishment of this desperately required service.
Your petitioners therefore request that the House and, in particular, the Federal Minister for Health and Ageing, Senator the Honourable Kay Patterson, to carefully consider establishing a Medicare Office in the western suburbs of Logan, preferably in the shopping centre precinct known as Grand Plaza.

by Dr Emerson (from 46 citizens).

Health: Pharmaceutical Benefits Scheme
To the Honourable the Speaker and Members of the House of Representatives:
A petition of Australian pensioners and superannuants residing in the Newcastle and Hunter Region who bring to the attention of the House that hardship and deprivation will be created to pensioners as this severe impost will cause extreme hardship to most of Australia’s senior citizens who are already experiencing difficulty due to the large monetary gaps in health care.

by Ms Grierson (from 221 citizens).

Health: Services
To the Honourable Speaker and Members of the House of Representatives assembled in Parliament.
We the undersigned request that the Government take action to improve our health system including access to dental care, preserve bulkbilling and to strengthen the Medicare system.
Our health system needs to be strengthened to ensure that all Australians receive the health care they need—when they need it.
The cessation of bulkbilling by many general practitioners, the closing of Medicare offices and the ceasing of the Commonwealth Dental Scheme 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 therefore respectfully request that the House do everything in their power to strengthen our health system, increase bulkbilling and reopen much needed Medicare offices as a matter of urgency.

by Ms Hall (from 27 citizens).

Medicare: Belmont Office Closure
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 therefore respectfully 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 5 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 21 citizens).
Health: Outer Metropolitan Doctors Scheme
To the Honourable Speaker and Members of the House of Representatives assembled in Parliament:
We, the undersigned, call on the Federal Government to extend its plan to encourage doctors to outer metropolitan areas including the Central Coast.
There is a chronic shortage of doctors in the area and people are waiting between seven and 14 days to get an appointment with their doctor.
Doctors are overworked and people’s lives are being put at risk by the chronic shortage of doctors in the area.
The average doctor patient ratio throughout Australia is one doctor to 1,000 people; in the northern part of Wyong Shire the ratio is one doctor to 2,500 people.
Your petitioners therefore respectfully request that the House encourage doctors to outer metropolitan areas including the Central Coast.

by Ms Hall (from 86 citizens).

Child Sexual Abuse
To the Honourable Speaker and Members of the House of Representatives assembled in Parliament.
We the undersigned request that the government hold a Royal Commission into the sexual abuse of children in Australia.
In light of recent cases, we believe it is important that the perpetrators of these crimes should be brought to justice and measures taken to ensure that cases like these are not allowed to happen again.
Child sexual abuse is a blight on our community and we must work together to eradicate it.
Your petitioners therefore respectfully request that the House encourage the government to hold a Royal Commission into the sexual abuse of children in Australia.

by Ms Hall (from 2 citizens).

Telstra: Privatisation
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 to our concern that:
the Howard-Anderson Government plans to fully privatise the Australian people’s 50.1 per cent share of Telstra as stated in the Government’s own 2001 Budget papers;
a fully privatised Telstra will focus on profits not people; and
services will suffer under a fully privatised Telstra, particularly in outer metropolitan, rural and regional Australia.
Your petitioners therefore ask the House to oppose the Howard-Anderson Government’s plans to fully privatise Telstra.

by Ms Jackson (from 196 citizens).

Science: Adult Stem Cell Research
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 to our concern that:
the Howard-Anderson Government plans to fully privatise Telstra as stated in the Government’s own 2001 Budget papers;
a fully privatised Telstra will focus on profits not people; and
services will suffer under a fully privatised Telstra, particularly in outer metropolitan, rural and regional Australia.
Your petitioners therefore ask the House to oppose the Howard-Anderson Government’s plans to fully privatise Telstra.

by Mr Jull (from 24 citizens).

Research: Laboratory Monkeys
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 to our concern that:
The Federal Government has approved a grant of $5 million to fund a facility in Churchill, Victoria, for the breeding of laboratory monkeys to be used in research.
The billions of dollars invested annually in animal research would be put to much more efficient, effective and humane use if redirected to clinical and epidemiological research and public health programs.
Your petitioners therefore ask the House to:
Rescind the grant to fund the building of a facility for the breeding of monkeys which will be harmed or killed in the course of research;
Instead provide funding for the development and utilisation of research techniques which do not use animals at any stage.

by Mr McClelland (from 471 citizens).
Social Welfare: Pensions and Benefits
To the Honourable the Speaker and Members of the House of Representatives assembled in Parliament:
The petition of certain general pensioner, superannuant and self funded retiree citizens of Australia draws the attention of the House that in view of the difficult circumstances that such citizens are experiencing with their reducing quality of life due to a burgeoning cost of living created by the GST, there exists an urgent need to upgrade the Pension. Notwithstanding periodic increases to the Pension and other once only, much qualified gratuities, we strongly contend that the basic formula for the Pension is a source of hardship in that it has been set too low even for normal circumstances and in comparison to many European Pensions, let alone in the current climate of increased prices, fees and premiums in Australia.
Your petitioners therefore pray that the House act to increase the Base Formula of the Pension to equal 35% of the Adult Male Average Weekly Earnings (AMAWE). Your petitioners also pray that the House act to extend Pensioner Concessions, particularly to superannuants and retirees who are assets rich but whom possess low finances.

by Mr McClelland (from 56 citizens).

Health: Pharmacies
The petition of electors of Stirling points out to the House our desire to see community pharmacists retain their unique position in Australia’s health system. We trust and respect our local pharmacists and are opposed to any moves to allow supermarkets to compete against them. We believe that the community benefits from pharmacies being owned by pharmacists.
Your petitioners therefore pray that the House heeds our wishes and allows our local pharmacy to continue to play a vital role in their health care.

by Ms Jann McFarlane (from 45 citizens).

War on Terrorism: Australian Defence Force
To the Honourable the Speaker and Members of the House of Representatives assembled in Parliament:
The petition of certain citizens of Australia points out to the House that:
A considerable number of Australian citizens do not agree with Australia engaging in a first strike military action against Iraq or any other country. We also state that:
Not in our name:
Will we support aggressive war against countries that do not directly threaten the security of Australia;
Will we support the erosion of civil liberties in Australia through the use of draconian anti-terrorist legislation;
Will we support the Australian government acting in contempt of its international legal and moral responsibilities.
And request the House to fully consult with the citizens of Australia before committing this nation to war.

by Mr Melham (from 193 citizens).

Immigration: Asylum Seekers
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 to the fact that the Migration Amendment (Excision from Migration Zone) Act 2001 and the Migration Legislation Amendment (Transitional Movement) Act 2002 enacted by the House removes the right of entry of asylum seekers to enter Australia’s migration zone for the purposes of seeking asylum in Australia. By removing this right Australia’s refugee policy is now in direct opposition to Catholic Social Teaching which states that ‘among a person’s personal rights we must include their right to enter a country in which their hopes to be able to provide more fittingly for themselves and their dependents. It is therefore the duty of State officials to accept such immigrants…’ [John XXXIII Encyclical Letter on Establishing Universal Peace in Truth, Justice, and Liberty, Pacem in Terris, 11 April 1963, 106].
Your petitioners therefore request the House as a matter of urgency enact legislation repealing the Migration Amendment (Excision from Migration Zone) Act 2001 and the Migration Legislation Amendment (Transitional Movement) Act 2002 restoring the right of entry to all asylum seekers wishing to seek asylum in Australia.

by Ms Plibersek (from 4,257 citizens).

Roads: Sturt Highway
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 dangerous state of the Sturt Highway in South Australia. The
highway is in urgent need of treatment to bring it to an acceptable National Highway standard. There have been more than 1,000 crashes on the Highway since 1996, with 55 people killed and more than 485 injured, reflecting the price that drivers have to pay for the delay in providing funding for much needed improvements. Your petitioners therefore ask the House to demand the Minister for Transport reverse the 2002-03 budget decision to slow down work on overtaking lanes on the Sturt Highway and honour his promise that all overtaking lanes, designed to make the highway safer, will be completed by 2004-05.

by Mr Wakelin (from 16,489 citizens).

Petitions received.

PRIVATE MEMBERS BUSINESS

Workplace Relations Amendment (Emergency Services) Legislation

Mr IAN MACFARLANE (Groom—Minister for Industry, Tourism and Resources) (3.25 p.m.)—by leave—I move:

That so much of the standing and sessional orders be suspended as would prevent Notice No. 1, private members’ business, given by Mr McClelland and accorded priority for this sitting, to be presented by Mr Crean (Leader of the Opposition).

Question agreed to.

WORKPLACE RELATIONS AMENDMENT (EMERGENCY SERVICES) BILL 2002
First Reading

Bill presented by Mr Crean.

Mr CREAN (Hotham—Leader of the Opposition) (3.26 p.m.)—Mr Speaker, the Workplace Relations Amendment (Emergency Services) Bill 2002 sends a very strong signal to all Australians, and that is that community service of whatever kind is highly valued by this parliament. In recent years, with greater demands on people’s time due to changes in the way we work, volunteerism of all kinds has been put under increasing pressure. We have to find ways to assist people to build stronger communities through public service, especially when it comes to battling flood, fire and other natural and man-made disasters.

With the summer bushfire season approaching, we know that we will be facing possibly one of our most difficult fire seasons ever. With the dry and dusty conditions across much of the east coast, our emergency volunteers are waiting, ready for the worst that nature can do. Our brave volunteer firefighters will once again be out in force saving lives and properties. They of course deserve our admiration but, just as importantly, they deserve our support. Serving the community by battling fire and flood and responding to tragedy is the epitome of what it means to be an Australian. We have seen this displayed magnificently in Bali, where volunteers instinctively turned out to help in any way that they could. It goes without saying that people do not put their lives at risk for personal gain—and they should not have to risk their jobs to do so.

I ask the government to put politics aside and support Labor’s bill on this important occasion, because our bill contains important protections for people who give selflessly and in a dedicated fashion. Our bill amends the Workplace Relations Act 1996 to provide employment protection to employees who take part in emergency operations as members of an emergency services organisation. If an employee is absent from work while battling an emergency as part of an emergency services organisation, they will have a specific ground for an unlawful termination action. In other words, that person would be protected from being sacked unfairly because she or he was away from work attending to an emergency.

Under this bill, powers will also be given to the Federal Court to guard emergency services volunteers against victimisation. In addition, the bill restores the power of the Australian Industrial Relations Commission to make award provisions granting emergency services volunteers paid leave. These powers and existing award leave provisions were stripped away by the government with its 1996 industrial legislation. People who help their communities were denied previous protections. We want to put them back.

Most employers will support staff who volunteer to help their communities, but we cannot assume all employers will do the right thing—and that is also why this bill is called for. It is designed to complement laws that
carry out similar functions for workers covered by the laws of New South Wales, South Australia, Queensland, Tasmania and the ACT. This bill will make sure that federal award employees have the same level of protection as their counterparts working under state and territory laws. State based emergency services organisations have been consulted. They welcome this measure and believe it will give volunteers and potential volunteers confidence that their jobs will be protected. Cases of victimisation and sacking of volunteers are rare, but this bill provides a backstop. All members of this House would hold our emergency services volunteers in the very highest regard.

Earlier this year the federal government joined with the government of New South Wales to ensure ex-gratia payments were made to volunteer firefighters who fought in the Christmas 2001 bushfires. It is that same spirit of bipartisanship that we seek again today in appreciation of our emergency services volunteers. I call on the government to support this very important bill as the danger period approaches again.

Bill read a first time.

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

PLASTIC BAG LEVY (ASSESSMENT AND COLLECTION) BILL 2002

First Reading

Bill presented by Mr ANDREN.

Mr ANDREN (Calare) (3.32 p.m.)—The Plastic Bag Levy (Assessment and Collection) Bill 2002 provides the definitions and administrative requirements for the introduction of a levy of 25c per bag on plastic shopping bags. It does not provide for the imposition of the levy itself, as the rules of the parliament do not allow for a private member to introduce any bill that imposes such a levy. For this reason, I seek leave to table as a paper a version of such a levy bill, including the relevant financial provisions for that levy, and urge all members, but most importantly government ministers, to take the opportunity to study it.

Leave granted.

Mr ANDREN—Thank you. It offers the process for implementing this legislation if government is of the persuasion once the present self-regulatory voluntary process runs its course—and personally I do not believe such a process will turn this massive environmental crisis around. The levy will not apply in limited, exempted cases; for example, where the bags are used for baked goods, non-packaged fruit and vegetables or fresh meat and fish. Long term, I would like to see cellulose bags replacing plastic for even these exemptions.

There are enormous possibilities for our rural industries in utilising cellulose from by-products of the grain, timber and sugarcane industry. The levy will not apply to paper bags or other non-synthetic packaging such as cellulose bags, but other so-called biodegradable bags are not exempt. Funds collected will be paid into a national environment education fund targeting environmentally hazardous waste to minimise its impact. This aspect is covered in the second bill of this legislative package.

The main purpose of the levy is not to collect funds but to change customer behaviour and reduce the environmental impact of plastic bags used each year—3.3 billion from supermarkets alone. Plastic bags have a costly impact not only on Australia’s environment but worldwide. Third World countries are literally strangling on plastic. From the start of this year, Bangladesh has banned the use of plastic bags in Dhaka, where 10 million bags are dumped each day. The rest go into drainage and sewer lines, causing backup and serious disease risk. The major floods of 1989 and 1998 in Bangladesh were exacerbated by plastic bag blocked drains. The disposable culture of the West has created an environmental nightmare in the Third World, with millions of Bangladeshis, like those in other countries, abandoning traditional jute and fabric bags. In India a few years ago I was horrified not only by the tens of thousands of bags littering roads and waterways but to see the sacred cows chewing blue or white plastic as they wandered the streets, many to be carted away dead on trailers as the plastic inevitably blocked their gut.
So too the ubiquitous plastic bag is floating across our oceans, catching birds and sea life in a deadly tangle and also being ingested with fatal results. The shores of the Greek islands are littered with thousands of plastic bags thrown overboard from cruise ships, ferries and the yachting fraternity—out of mind perhaps for the polluters, but never out of sight.

The imposition of similar levies has been notably successful elsewhere in the world. A levy of 15 euro cents, approximately 27 Australian cents per plastic bag, was imposed by regulation in the Republic of Ireland in March this year. Within five months it led to a 90 per cent reduction in plastic bag usage and succeeded in dramatically raising environmental awareness in that country, according to Declan Kelly, Ireland’s Ambassador to Australia. Obviously, time will tell whether this change of habit is permanent, but the levy in Ireland appears to have been struck at just the right level to hopefully act as a permanent disincentive. A similar levy is contained in this legislation that I introduce today.

The Irish government also provided for exemptions similar to those contained in this bill, while Irish retailers are saving on the cost of supplying plastic bags as well as making money on the sale of ‘bags for life’. The Irish scheme also earmarks the levy for a special environment fund to support waste management. One problem with the Irish experience is avoidance by some retailers, but this bill contains provisions authorising the Commissioner of Taxation under sections 11 to 16 to deal with late and unpaid funds.

This bill is recognition that a financial disincentive is the most effective way to achieve real change in consumer habits. The levy will encourage the market to provide environmentally friendly alternatives to the plastic shopping bag and, in conjunction with the second bill that I am about to introduce, provides a comprehensive approach. I commend the bill to the House. *(Time expired)*

Bill read a first time.

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

### PLASTIC BAG (MINIMISATION OF USAGE) EDUCATION FUND BILL 2002

#### First Reading

**Bill presented by Mr Andren.**

**Mr ANDREN (Calare) (3.38 p.m.)**—I now introduce the second part of this legislative package. The Plastic Bag (Minimisation of Usage) Education Fund Bill 2002 establishes a fund for consumer education to complement the imposition of the levy on plastic shopping bags. A levy on its own will not be enough to change our retail habits, especially where weekly grocery shopping is concerned. During preparation of this legislation I received a submission from the Australian Retailers Association, outlining its shared concerns for the environment and for our wildlife. However, the ARA believes a levy like that introduced in Ireland will not be adequate to change people’s habitual use of plastic bags. That habit, incidentally, is only about 20 years old—I think we can all remember the big brown paper grocery bags, and why not see them reintroduced?

The ARA says that the Irish experience is inconclusive because people were offered the alternative of free paper bags and current claims of success only relate to a three-month period. Essentially, the retailers say that plastic bag usage will only be combated by following the educational and partnership approach set out in the National Packaging Covenant (NPC) and National Environment Protection Measure (NEPM). However, the NPC is not specifically aimed at plastic shopping bags, some 3.3 billion of which, as I have said, come annually from supermarkets. The NPC is primarily designed to support self-regulation amongst producers, with a view to reducing packaging waste. Its definition of consumer packaging is:

> ... all products made of any material, or combination of material, for the containment, protection, marketing and handling of retail consumer products.

This does not seem to include plastic shopping bags, and so the covenant might contribute only marginally to a reduction in their use. A self-regulatory scheme such as this...
will not have the same effect in changing consumer habits as a financial incentive like the proposed levy.

The ARA recognises education as essential to the successful reduction of plastic bag use, and that is what this bill provides for. Indeed, Bathurst independent supermarket owner Mick Michel is reported in today’s Western Advocate as saying that the merits of doing away with plastic bags outweigh the demerits. He says, however, that it will involve a cultural shift and an educational program, which is what these bills are about. Mr Michel appears more in tune with the mood and reality of this issue than the Retailers Association appears to be.

Mr Michel also reminded me of last week’s Bathurst 1000, where bags in their hundreds blew across the track, cooking the motor of one leading car when sucked into the air intake and almost stopping eventual race winner Mark Skaife with a similar problem. Bathurst races might not be a bad place to start this education campaign. There is only one person more focused than a Holden fan who thinks he has been cheated—and that is a Ford fan. But all would be receptive, I would hope, to a plastic-free Bathurst 1000.

We therefore have a legislative package here that provides both the financial incentive and the consumer education that will overcome some of the shortcomings of previous efforts to combat the use of plastic bags. If anything, the ARA should support these two bills as they provide for the well-rounded approach to the problem that the ARA found lacking in the Irish experience.

Section 4 of this bill provides for the establishment of a fund to be known as the Plastic Bag and Other Waste Minimisation of Usage and Education Fund, which is a mouthful but says it all. Funds, as appropriated by the parliament, shall be contributed to the fund and controlled by the Minister for the Environment and Heritage. Expenditures will be made on the written authority of the minister for the purpose, as set out in section 5, of educating people ‘about or effecting minimisation of’ damage and pollution caused to the land environment and aquatic environment and to wildlife and marine life by plastics bags.

Section 6 provides for the minister to report to each house of the parliament, not later than two months after 30 June, the expenditure of moneys credited to the fund. The fund will be targeted at education and effecting the minimisation of plastic bag usage, which may provide some leeway for the support of other measures, such as the support of biodegradable alternatives. One example, as I indicated in the earlier speech, could be bags made from cellulose obtained from agricultural grain or sugar cane, wood and wood residues, plants and grasses that will break down in the environment. I commend this bill to the House.

Bill read a first time.

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

FUEL QUALITY STANDARDS (RENEWABLE CONTENT OF MOTOR VEHICLE FUEL) AMENDMENT BILL 2002

First Reading

Bill presented by Mr Katter.

Mr KATTER (Kennedy) (3.43 p.m.)—In introducing the Fuel Quality Standards (Renewable Content of Motor Vehicle Fuel) Amendment Bill 2002, I wish to thank the 31 scientists who have given me over two or three hours of their time, in each case; the company Transfield, which approached the Queensland government in the late eighties; and hundreds of other people who have fought hard to bring forward these proposals. We are introducing here today legislation mirroring the amendments that were passed unanimously by the United States Senate—an amendment to the Energy Policy Act 2002 with the addition of a section 820, ‘Renewable content of motor vehicle fuel’.

In the last two years this issue has been bitterly fought throughout Australia—in the grain belt, in the sugar belt and in the giant cities of Australia, where the issue of air quality is of significant importance.

In pushing this forward, we have been told that it will not mix; it has to be given to the
oil companies to mix. We have been told that it ruins engines. We have been told that it has no power. We have been told that all we are going to do is ensure Brazilian imports into Australia. I do not have time to laugh, as all of the other people have laughed, at these comments which almost invariably are coming from the oil companies which do not wish to lose, naturally enough, 10 per cent of the Australian market—which they would lose under these proposals. Unless the parliament is prepared to mandate a 10 per cent ethanol blend then talking about it is a silly joke, and we would ask the government to desist from such hypocrisy in the future.

We cannot introduce money bills, of course, but there needs to be some money bill associated with this. An excise needs to be imposed upon ethanol—at the moment there is none—and an environmental rebate needs to be given to processors and farmers in Australia, grain and sugar farmers, who are going out of their way to produce this product. They need some sort of compensation for that, and so an environmental rebate should come into play. This has the incidental but not intended consequence of locking foreign ethanol out of Australia.

In the case of the sugar industry, this will provide an extra $100 a tonne, premium, for the price of sugar. Whether that $100 per tonne goes to the oil companies, to processors or to the farmers is a matter that should be determined by the government. Similar sorts of figures exist for the wheat industry, so we would urge in the strongest possible way the tightest oversighting by the government of these proposals. Germany, France, Canada, the United States, Brazil, China, Thailand and India have either moved or are in the process of moving down this pathway because the rest of the world realises, and is very conscious of the fact, that when lead was taken out of petrol aromatics were put in. Aromatics are extremely dangerous to people’s health. In Australia we allow three per cent benzine content; it is one of the aromatics and it is a known human carcinogenic and should be removed.

If you removed the aromatics from petrol, the amount of power in your engine would fall substantially. To maintain the power ratio, you need to put something in its place and that, of course, is the 10 per cent ethanol blend. Not only does this introduce sustainability for 10 per cent of our fuel stream; it also enables us to meet the Kyoto protocols and removes dangerous aromatics, which affect humans as well as the environment, from our urban environment. It will create a new industry, with a net value of $1.3 billion to the Australian economy. This will profit our balance of payments and the nation as a whole, creating over 20,000 jobs which will be exclusively in the grain belt—the wheat growing areas of Australia—and in the sugarcane growing areas of Australia. It would be a magic move forward for these areas; $360 a tonne will enable our sugar industry to return to moderate prosperity.

Strategic self-sufficiency is influencing the United States. Within 12 years we will have only 40 per cent self-sufficiency in oil; we should be moving now to develop self-sufficiency, the same as the United States. It will also, incidentally and incredibly, reduce the price of petrol by 1c to 2c as well as reduce the price of sugar that Australia is able to sell on the world market, although I cannot go into the detail today. All of those magic benefits will flow if this bill is passed.

Bill read a first time.

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

PRIVATE MEMBERS BUSINESS

Human Rights in Nigeria

Mr BAIRD (Cook) (3.49 p.m.)—I move:

That this House:

(1) condemns the sentencing of Amina Lawal to death by stoning by Shari’ah Courts in the Katsina province of Nigeria, for allegedly committing adultery and bearing a child out of wedlock;

(2) registers its strong opposition to all similar extreme sentences that discriminate against women; and

(3) calls on the Government of Nigeria to do everything within its power to protect the basic human rights of Amina Lawal and all its citizens.
I thank the parliament for providing the time to discuss this important motion on human rights today. I felt compelled to bring this motion before the House for two reasons. The first reason is that, as chairman of the Australian parliament’s Amnesty International group, I have a great interest in the protection of individuals’ human rights. The second is due to my involvement in the parliament’s Friends of Nigeria group. As chairman of that group, I am keen to see the relationship between Australia and Nigeria prosper. With the latter in mind, it was with great regret that I read recently about the plight of Amina Lawal, a young Nigerian woman who has been sentenced to a barbaric execution for the so-called crime of having a child out of wedlock. This is an appalling sentence—out of all proportion to the supposed crime committed.

In the context of the parliament, when we have had such an atrocious crime committed in Bali and when we have human rights crimes in Sudan, China, Vietnam and Cambodia, one could ask why we particularly are concentrating on this issue of Amina Lawal today. It relates to the fact that this is a crime against women who have been badly treated in many countries. This crime symbolises the way in which women have been so poorly treated and why we must do all we can to highlight this gross abuse, to identify what the basic problems are and to put as much pressure as we can on the government in Nigeria to reverse this decision.

We have celebrated in this building today the 17th national prayer breakfast. As a keen Christian, I know that the one that I follow had, as a prime parable, the story of a woman caught in adultery. The example that was given was that those who felt that they had no sin amongst them should cast the first stone. He simply said, ‘Go and sin no more.’ The reality is that not everyone shares this view and that people come from different faiths, traditions and backgrounds. Nevertheless, we should focus on the fact that this is a gross abuse of human rights; it is a gross abuse of women’s position in the community in Nigeria.

Amina Lawal was sentenced to death by stoning in March this year according to a fundamentalist Sharia interpretation of Islamic law. She had been arrested by a mob of villagers after having given birth to a child and was brought before the court. This sentence was upheld following an appeal in August and, failing any further future intervention, Lawal will be killed.

This case presents us with two serious issues: firstly, the cruel and unusual punishment. If Amina Lawal’s sentence is carried out, when her young baby is weaned she will be buried up to her waist and hit with rocks and stones until she is dead. That appalls all of us, just in terms of the barbarity in the way this woman is going to be treated. This clearly constitutes both cruel and unusual punishment. Nigeria has ratified the 2001 Convention Against Torture and as such has bound itself not to allow such punishments to proceed.

Secondly, we are concerned about it in terms of its discrimination against women. The case of Amina Lawal provides yet another example of a system that clearly discriminates against a female defendant. Sharia courts in northern Nigeria interpret Islamic law according to the Maliki school of thought, which considers pregnancy would suffice to condemn a woman for adultery or pre-marital sex. All a man has to do to disprove his involvement in such an activity is to swear an oath to that effect, which is what Amina’s partner did. For the man’s oath to be disproved, four other people have to swear that they saw an act occur—a ridiculous proposition.

We are concerned on several bases in terms of the atrocious way in which the woman is to be treated and the difference in the way the man is to be treated. We certainly would hope that the Nigerian government would recognise the outrage among men and women of Australia, particularly in this parliament, and do the best that they can to overturn this finding. (Time expired)

The DEPUTY SPEAKER (Mr Mossfield)—Is the motion seconded?

Mrs IRWIN (Fowler) (3.54 p.m.)—I second the motion. I begin by congratulating the member for Cook for moving this motion on human rights today. The fate of Amina La-
The situation of Amina Lawal depends very much on the way in which the world reacts to her case. I am sure this motion will receive the total support of this parliament and indeed the support of all Australians. The strong message sent to the government of Nigeria by the people of the world is the last hope for Amina Lawal.

When I recall the television images of Amina Lawal and her beautiful daughter Wasiila, I feel great sorrow for Amina and for her children. I also feel anger towards those responsible for passing the sentence of death by stoning against Amina Lawal. I cannot begin to imagine her anguish, as the child at her breast is both the agent for her stay of execution and the proof that confirms her death warrant.

I can say as a woman that I am appalled that in the 21st century a woman could face such a sentence for an act that is not regarded as an offence in most countries in the world. Where the offence of having sex outside marriage is enforced, it is mainly women who are prosecuted. Rarely do men face prosecution, and even then the burden of proof is higher and the punishment more lenient. Amina Lawal is the face of all women oppressed by politically motivated systems of justice.

In Nigeria, 12 of the 36 states have adopted Sharia law. They are in the Muslim areas in the north of the country. While the federal courts in Nigeria have ruled that death penalty judgments by Sharia courts are unconstitutional, political pressure from state governors may lead to sentences being carried out regardless of the wishes of the federal courts. The position of Nigeria’s Christian president, General Obasanjo, is crucial to the fate of Amina Lawal. His refusal to dispute the rights of states to use Sharia law and his dependence on electoral support from the northern states at next year’s election makes his intervention less than certain.

The Nigerian justice minister, Godwin Agabi, however, has pointed out to the states that a Muslim should not be subjected to a punishment more severe than would be imposed on other Nigerians for the same offence and, importantly for us, that Nigeria cannot be indifferent to international outrage over the sentence.

Australians have been outraged in recent years by what we see as abuses of women’s basic human rights in countries such as Iran, Sudan and Saudi Arabia. While it seems offensive to us that religious law should have the same effect as criminal law, we cannot ignore the fact that, whether it is the push for Islamic law in Pakistan or the push for Hindu law in India, or for that matter the law of Moses in Israel, the motives to enforce these religious laws are largely political.

For Muslims, the moral code of Sharia is the path to a perfect society. Now, in the pre-election climate in Nigeria—and you could also say in some states in Australia—a return to harsh mandatory punishments is seen as a pathway to electoral success, if not a path to a perfect society. But that would be a path littered with battered skulls and severed hands. In truth, society is less than perfect and deterrent punishments have never been effective in keeping all citizens on the straight and narrow path, especially when there are many who stray but few are punished.

That was, after all, the message of the man described in the Koran as the prophet Jesus. When a woman caught in the act of adultery was brought to Jesus and he was reminded that the law of Moses required her to be stoned, his response was:

He that is without sin among you, let him first cast a stone at her.

I would commend those words to President Obasanjo and the governor of Katsina state. Like all Australians, I would hope that their response would be to leave Amina Lawal and her children to live in peace—definitely to live in peace. That is what that woman deserves and that is what her children deserve.

Mrs MOYLAN (Pearce) (3.59 p.m.)—I want to say from the outset that I totally support the comments of both my colleagues in this place today. As a member of the Human Rights Subcommittee of the Joint Standing Committee on Foreign Affairs, Defence and Trade, I feel it is important that we all speak out about this. I know that in the past women’s groups, and the European Union in particular, have been criticised by one of the provincial governors in Nigeria for speaking...
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Representatives

out when a previous case was in progress, but we all have the right to speak out about laws that are so unjust; laws that allow the killing of people in a very discriminatory way. In this case, the woman is the only one being punished. Not only is it bad that these provincial governments see fit to put people to death for such crimes but this case also involves something that we all abhor: the discrimination of women in these countries. So I feel no sense of wrongdoing in speaking out about this dreadful case, and I am sure my colleagues feel the same.

In March 2002, a young Nigerian woman by the name of Amina Lawal was convicted of adultery and sentenced to death by stoning in a Sharia court in Bakori, Katsina state. The sentence was appealed on 19 August 2002 but it was upheld by Judge Aiyu Abdullahi in a lower Sharia court of appeal in that state. We understand from all reports that in the past no-one has been stoned to death in Nigeria. But it concerns me that, in 1999, 12 Muslim states decided to extend Sharia law to the criminal sphere, and that changes, in some respects, the landscape in relation to this case. Indeed, there is a great danger that Ms Lawal will be put to death. As we have heard, her execution will not take place until 2004 when her daughter, now eight months old, is weaned. Then the sentence requires that she be buried up to her neck and stoned to death.

The federal government of Nigeria has declared the judgment unconstitutional; however, there are some concerns about the ability to successfully appeal this case because of those changes to the law. I was very pleased to know that the Nigerian government have opposed the laws and they have made statements in support of Ms Lawal. In fact, our Minister for Foreign Affairs, the Hon. Alexander Downer, met with the Nigerian High Commissioner to Australia, Dr Rufai Soule, to convey the deep concern of the Australian government and the community at the death sentence by stoning of Amina Lawal by the provincial Sharia court. I know there has been an outcry because I have been, as have my colleagues, the recipient of many phone calls, letters and emails in relation to this case. People are shocked that such a cruel sentence could be proclaimed on anyone. Mr Downer said:

... that the Australian Government considered death by stoning a cruel, inhumane and degrading practice and that the sentence had generated a great deal of concern in the Australian community.

That has certainly been my experience. He went on to say:

There can be no excuse or satisfactory explanation for this inhumane and cruel practice and laws that are inconsistent in their application. In this case there is one law for the woman ... Ms Lawal and another for the male partner in this so-called “crime”.

I call on the federal government of Nigeria to do all in its power to ensure that the sentence is never carried out. This includes ensuring that Ms Lawal’s defence lawyers are assisted to the maximum degree by the Nigerian government.

Ms Vamvakinou (Calwell) (4.04 p.m.)—I concur with other honourable members in this chamber and condemn the sentence to death by tribal elders of Ms Amina Lawal. Much has been said already about the nature of the sentence and the manner in which Ms Lawal is to have her life ended. I would also like to take this opportunity to inform the House that many Muslim organisations around the world have also condemned the misuse and abuse of Sharia law by politicians in northern Nigeria and have accused them of wilfully and deliberately seeking to make political gains through the misuse of what is considered by Muslims to be a comprehensive Muslim law which is derived from two sources: the Koran and the Sunna.

Sharia law covers every aspect of daily individual and collective living. Its purpose is the protection of individuals’ basic human rights to include right to life, right to property, political and religious freedom and safeguarding the rights of women and minorities. This is not unfamiliar to our Western concepts of our inalienable human rights. Many Islamic leaders have expressed their concern about the way Sharia law is being administered in other parts of the world. Notably, the then Deputy Prime Minister of
Malaysia, Dato Seri Anwar, noted in an interview in 1996:

Shariah courts have by their actions in many instances betrayed the ideals of justice on the basis of gender and other cultural prejudices that have no basis in Islam.

Violence against women and the manipulation of religion and religious codes in an attempt to exert control and to divide people is not a new occurrence, nor is it confined to Islam. We need to take a long, hard look at why women throughout time have been victims of violence and aggression, almost always at the hands of men and in many—if not most—cases in the name of religion.

Are we not all familiar with the cruelty and murder of innocent people, especially women, during the terror years of the Spanish Inquisition, when the god-fearing clergy ordered killings in the name of God? Was Saint Joan not burnt at the stake? Were women not the victims of the infamous Salem witch hunts? Are women not the victims of the machismo culture still prevalent in Latin American communities? Have women not been the primary victims of honour killings? Are not women predominantly the ones sold into slavery or sent into prostitution because families cannot afford to keep them? Are not female babies in many cultures subjected to drowning and killing at birth because their parents cannot afford to be burdened with dowries and other marriage requirements imposed by very poor and patriarchal communities?

I will go back to Amina Lawal and Sharia law. I guess the question is: who shall cast the first stone? Christianity, Islam, honour killings, machismo culture, dowries, female baby killings and on it goes. You have to ask yourself: what drives such behaviour? My understanding of it is that it is men needing to control and to possess. I might go a little bit further and suggest that this sort of behaviour towards women is an expression of some form of sexual perversion and misogyny—a view that women are mere possessions, objects to be used and abused and then punished, often in the name of God. We shudder at the inhumanity of Amina’s case, but it should serve as a wake-up call that practices and behaviour long abandoned by the so-called civilised Western world are still rife in other parts of the world. The hidden agendas marking the true nature behind the actions of the politicians and Sharia court elders in northern Nigeria must be exposed and not go unpunished. As an international community, we must put maximum pressure on the President of Nigeria to enforce the expectations of the UN treaties his country has ratified, in particular the convention against torture.

As someone who represents a significant portion of Australian Muslims, I want to convey to this parliament their concerns and condemnation of this abuse of Sharia law. My constituents—like most of us—are concerned that these incidents vilify them and their Islamic way of life. The Islamic Council of Victoria and the Islamic Women’s Welfare Council have condemned the decision to stone Amina Lawal to death. In particular, the Muslim women’s groups are active in their fight to expose such abuse and discrimination against women and hopefully put an end to such violence. In relation to the Muslim community here in Australia, and given the events of the past few days and the past 12 months, it is very important that as broad and as diverse a spectrum of Australian Muslim leaders as possible be heard, because those who speak on behalf of Muslims and Islam have a responsibility to choose their words carefully.

Ms GAMBARO (Petrie) (4.09 p.m.)—I rise today in this House to support the motion on human rights that has been moved by the honourable member for Cook and also to support other members who have spoken before me. This motion is about justice as much as it is about equality. It is about voicing concerns for a legal system that relies on hearsay evidence as an acceptable form of defence for one sex but judges subjectively the evidence of another sex. While Amina Lawal was sentenced to stoning to death for giving birth to a child nine months after she was divorced, her boyfriend of 11 months was dismissed for lack of evidence—he swore on the Koran that he was not the father. In condemning the decision of the Sharia court in the Katsina province of Nigeria and its sentence of death by stoning, we,
as Australians, also demonstrate the freedoms and the rights, for both sexes, that are the embodiment of our particular system of democracy. We are indeed very lucky to live in this country. This story demonstrates just how lucky.

Nigeria is Africa’s most populous nation, with 120 million people evenly divided between Christianity and Islam. In 1999, after Nigeria returned to civilian law, 12 Muslim majority states in the northern part of the country controversially introduced Sharia law into their criminal code. Sharia law had not been instigated in Nigeria since the 19th century, before British colonial rule. Both the law and its sentences are considered tough, and the current sentence of Amina Lawal to death by stoning in 2004—after weaning her daughter—has further ignited worldwide criticism and indignation. In March this year, a woman was sentenced to death by stoning by a Sharia court in Nigeria, and she had her sentence quashed because of the international appeals for clemency. She was one of a total of four people, including Amina Lawal, who have been sentenced to this particular type of stoning. However, none of these sentences has been carried out.

Massoud Shadjareh, who is the head of the London based Islamic Human Rights Commission, last month called on Muslim intellectuals to speak out about this brand of Sharia law in Nigeria, which he considers inhumane. By adding his voice to the growing opposition internationally, he demonstrated the shortcomings of this law as an equitable means of justice. The advent of Sharia law in Nigeria’s northern provinces has been seen both at home and abroad as something of a political tool. It is used to further divide the Muslim north from the more prosperous Christian south. By instigating this brand of Sharia law, northern leaders have been accused of attempting to secure the loyalty of Muslim voters ahead of next year’s general elections. The use of this law as a political weapon to devalue the very quality of life of Amina Lawal and her child is appalling. It not just pigeonholes her as a victim but also is used as a push for power. Even Sharia officials in the Nigerian state of Katsina have questioned whether the use of the law in this state is being executed properly, declaring that adultery is not a crime against the state.

When I first heard of Amina Lawal’s story, I was surprised and appalled at the resurrection of this extremely archaic law. My electorate office is being contacted by people who want to put their weight behind many others in calling for this inhumane sentence to be revoked. I also was pleased—along with many of my colleagues in this House—when the foreign minister conveyed these thoughts to the Nigerian High Commissioner and when the Prime Minister spoke directly to the Nigerian President on this very issue. It struck a chord with me not just as a woman but also as a mother and as an Australian. Amina Lawal has been made a scapegoat in a legal system that not only puts the rights of people behind the quest for power but also levies bias against women and devalues them. Former US President Bill Clinton alluded to this when he visited Nigeria recently and commented on this case. He said:

Islam from its earliest days sought to protect such rights for women and to protect children. Sadly, the use of this law has nullified this protection. This motion is about justice and about equality. It is about the lack of those rights and the ability of the international community to convey their opposition to this in the strongest possible way. (Time expired)

Ms ELLIS (Canberra) (4.14 p.m.)—I am very pleased to support the motion on human rights moved by the member for Cook. I congratulate and thank him for bringing the motion forward in the House today; it is a motion that many of us would have wanted to move. There is an enormous surge of support within the parliament for this motion today.

There are very few avenues for an individual to influence the human rights environment within sovereign states but, as parliamentarians, we do at least have the chance to make our voices heard and to place our protests on the public record. When all else fails, we have to place our faith in the weight of global public opinion. The circumstances of Amina Lawal’s case in Nigeria are already very well known in Australia, and we can draw some hope from the high-profile nature
of the case. I want to record my complete support for the contributions to the debate by the members for Cook, Fowler, Pearce, Calwell and Petrie. I am sure that the two members who are to follow will speak in equal terms.

Our protests are not about religion or about Islam. Our protests today are concerned with fundamental human rights and with systems of law that target women for arbitrary and excessive punishment. It goes without saying that the sentence imposed on Amina Lawal by the Sharia court in northern Nigeria is appalling and inhumane. Words seem inadequate. I cannot quite describe how I felt when I read of these reports in the newspaper. The death penalty alone is an affront to humanity, but death by stoning goes far beyond the bounds of punishment. The case of Amina Lawal shows the determination of some people in positions of power to degrade, terrify and ultimately subjugate women in their society. This is an issue that I hope to explore further during my visit to Nigeria next week as part of an official delegation of this parliament, travelling at the invitation of the Nigerian government. I look forward to finding an appropriate occasion to convey to the Nigerian government and to fellow parliamentarians in Nigeria the concerns expressed in this chamber today about the human rights situation in northern Nigeria. These are not issues that I can shy away from.

I believe that relations between sovereign states—and, in this case, between members of the Commonwealth—can and should tolerate discussion of difficult but important issues. It remains to be seen just how robust those human rights dialogues can be between Australian and Nigerian parliamentarians, but I will travel to Nigeria with all the goodwill in the world and with a strong sense of moral obligation to explain the deep worry that cases like this cause in Australia.

Other speakers have already referred to the fact that there will be many people in Nigeria—some of them members of parliament or, indeed, members of the government—who do not agree with this sentence against Amina Lawal. This is an opportunity for us to make our views and those of our community known and to encourage and support those people in Nigeria to continue to do what they can to have this decision overturned. Only that outcome will be considered as a success by any of us. We simply must support those people in Nigeria who I know do not agree with this. We must use this debate today to support and encourage them in what I know they will want to do, because they will not welcome the decision of the Sharia court on this or any similar case in Nigeria. I am very confident that, during the discussions next week, my colleagues on the delegation and I will have an opportunity to relate very clearly the unanimous views of this House and to offer them all the support we can to correct this and any future abuse of such law within their communities within Nigeria.

Mrs Draper (Makin) (4.19 p.m.)—I rise to support the motion on human rights moved by the honourable member for Cook and to commend him for his concerns on human rights, in this instance in Nigeria. In recent times we have, sadly, been witness to acts of savagery that is without precedent in our nation’s history and which has killed and maimed many young Australians. It is a sad fact, however, that acts of savagery are all too common throughout various regions of the world.

Amina Lawal is a 31-year-old mother of three. She is the youngest of 13 children of a local farmer, and she was first married at the age of 14, when most young Australian girls are still at school. Having been divorced, she began a relationship with a man in December 2000, which lasted until November 2001 when she gave birth to her daughter, Wasila. In the last few years, 12 states in the north of Nigeria have adopted the strict Islamic Sharia law. Unfortunately, Amina lives in one of these states. Under Sharia law, a woman who is divorced and then has a sexual relationship with another man is considered to be guilty of adultery. This is considered the case even if the man is not married. The punishment for adultery under Sharia law is to be stoned to death. Amina Lawal has been so convicted. The thought of a sentence of death by stoning being carried out anywhere in the world in this first decade of
the 21st century is positively sickening. Amina does not deserve to die, and she certainly does not deserve to die by the method handed down by the Sharia court. If the sentence were to be carried out, it would undoubtedly be an act of barbarism.

It is true that the government of Nigeria has, quite rightly, expressed its opposition to the sentence. President Obasanjo has apparently stated that he will ‘weep for Amina and Nigeria’ if Amina is executed. I wish to commend the efforts of the Prime Minister, the Minister for Foreign Affairs and his department for conveying the very deep concern of the Australian government and its people at this unjust sentence. I note the statement issued by Minister Downer on 29 August, in which he stated that the Australian government considered death by stoning a cruel, inhumane and degrading practice.

Dr Soule, Nigeria’s High Commissioner to Australia, has suggested that the Nigerian Supreme Court, which does not operate under Sharia law, was most likely to reject the provincial court’s sentence. We can only hope and pray that this will be so. The sentence also highlights the inequality of women being judged under Sharia law. As was noted by the International Federation of Women Lawyers, in cases where a conviction for adultery has been recorded the women were convicted while the males were discharged without penalty. For a justice system to be truly just it must apply uniformly to all citizens. The situation for the government of Nigeria is made more difficult by the fact that, in recent years, it has seen an increase in ethnic and religious violence.

Nigeria has, since independence, suffered a turbulent and often violent history, with short periods of civilian government broken by military rule. President Obasanjo was elected in February 1999 and faces many difficulties in governing his country. We understand this and we respect his position. Nigeria is a signatory to various international covenants and treaties, and it must understand that it is expected to honour those commitments. People around the world, and particularly here in Australia, have expressed their horror at the sentence handed down against Amina Lawal and similar sentences against other women in the northern provinces of Nigeria. We can only hope that, as I stated earlier, Dr Soule, the Nigerian High Commissioner to Australia, is correct in suggesting that the Nigerian Supreme Court may reject the provincial court’s sentence. I commend the motion to the House.

Mr QUICK (Franklin) (4.23 p.m.)—

Amina Lawal is a name that is now internationally recognised as human rights groups have focused on her plight and highlighted the extremist sentences that continue to be passed on women throughout the world. This issue is not about respecting religion in other parts of the world or imposing Western standards; it is about basic human rights. Despite the international outcry, the Nigerian government has failed to intervene. It amazes me that this issue is still in the limelight, particularly as Nigeria is a fellow member of the Commonwealth. To me, it is totally unacceptable. As previous members have said, Amina was sentenced by a Sharia court in the Katsina province of Nigeria to death by stoning because she allegedly had a child out of wedlock. This decision has been upheld on appeal and a further appeal is being made to the Supreme Court of Nigeria. If this appeal fails, Amina will be buried to her neck and stoned to death. Nigerian President Obasanjo has said:

There is nobody that has ever been stoned to death in our history, and I hope that nobody will be stoned to death.

What a bland statement by the leader of a country: ‘I hope that nobody will be stoned to death.’ The Nigerian federal government will not intervene in this case as the states in Nigeria have independent legal systems. The Nigerian Minister of Justice declared the sentence as unconstitutional, but still no measures have been taken to prevent it. Meanwhile, Amina is left to contemplate her fate. As Amnesty International has stated:

The danger of human rights becoming the victim of politics is real.

The 1999 Nigerian Constitution confirms the sanctity of life and enshrines the right to have one’s life and personal dignity respected. Nigeria is also a signatory to international and regional human rights declarations and conventions which recognise this
right. The Nigerian government needs to do more than just state its opposition to this sentence; it needs to intervene— and intervene now—and uphold its pledge to the people of Nigeria in the 1999 Nigerian Constitution and its pledges to the international community in the international human rights treaties which it has signed.

On September 27, Amnesty International presented a 1,300,000 strong petition for Amina Lawal to the Nigerian officials at the London High Commission. A Tasmanian school—not in my electorate but in the electorate of the federal member for Denison; it has children from my electorate—the Sacred Heart College, recently contacted me to table a petition in this House opposing the sentence passed on Amina Lawal. The concern about this sentence has obviously reached beyond activists and the human rights movements throughout the world.

Death by stoning is a cruel and inhumane form of punishment. This punishment is degrading: it does not respect life or human dignity. Amina is the second of three women in Nigeria who have been sentenced to death by stoning for allegedly having a child out of wedlock. A couple have been condemned to death by stoning since Amina’s sentence. The first woman was acquitted in a court of appeal on technical grounds. Women’s and human rights groups in Nigeria have observed:

... the emerging pattern of people from poor backgrounds— particularly women— being the victims of cruel, inhumane and discriminatory sentences introduced by Regional laws in the states of northern Nigeria.

As the member for Calwell said, this is of great concern. Human rights are fundamental and should apply to all people regardless of race, gender or religion. Initially, Amina had no legal representation. Human rights lawyer Indidi Ekweke said:

She has not been given a chance to prove her innocence. That on its own has led to a miscarriage of justice.

The decision of the Sharia court to stone Amina is abhorrent and I strongly condemn it. The process that sees extremist sentences being passed on people of poor backgrounds, particularly women, is of great concern to me and other members of this place. I urge the Nigerian government to do all that is within its power to protect the basic human rights of all people in that country, as it pledged to do when it signed the various international human rights treaties and conventions. Perhaps the last words are best left to Amina, who said:

My only hope and prayers are to see that I get out of this trauma. (Time expired)

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

GRIEVANCE DEBATE

Question proposed:

That grievances be noted.

Shortland Electorate: Research

Ms HALL (Shortland) (4.29 p.m.)—One of the greatest challenges for an opposition member of this parliament is being able to initiate change in your electorate when you do not have the numbers on the floor of the House. That is why it is necessary to be creative, to look to the community you represent in this parliament, to build on their strengths and to work with them to develop creative local projects and initiatives. In order to be able to successfully do this, you must do it in conjunction with your community and by basing any initiatives on what the people in these communities see as important to them and on what they want, not on what you think they should have. In order to achieve this in the Shortland electorate, I asked Jenny Boddy, a fourth-year social work student who attends Newcastle university, to undertake a research project in the electorate of Shortland. The research project aimed to identify what people living in the Shortland electorate aged over 55 years saw as being important to ensure a good quality of life and also to elicit project ideas that could be used for future community development work. I would like to acknowledge the fine work of Jenny Boddy and congratulate her on presenting a wonderful research paper. I would also like to thank the School of Social Sciences at Newcastle university.
would like to put on the record that the social work department at the university undertakes fine work and trains excellent students. I have had a long association with them, and I look forward to continuing the association.

The demographics in the Shortland electorate are quite interesting because Shortland is actually the 12th oldest electorate in Australia, with 17.34 per cent of the population over the age of 65. When you compare this to the national average of 12 per cent over the age of 65, it shows that Shortland is indeed one of the oldest electorates in the country. People over the age of 65 rely fairly heavily on government support. A high proportion are veterans, and another very large percentage are in receipt of the age pension. This is reflected in the fact that the Shortland electorate has the 10th lowest median income in Australia. The heavy reliance on income support by this older population shows that Shortland is indeed an electorate that has older people with particular needs.

I would like to talk a bit about the research project that Jenny conducted and the results of the survey. There were 560 people surveyed. Surveys were given to groups like Probus, pension groups and veterans and were sent out with some information through my office. There were two formal consultations, and Jenny met and discussed issues with people. They completed a questionnaire. Fifty-three per cent of the respondents were female, 45 per cent were male and two per cent did not identify their sex. The highest percentage was in the age group between 70 and 79, the next highest was 60 to 69, and 80 to 89 was the next highest after that. There were people from both Lake Macquarie and the Central Coast of New South Wales. The highest percentage were married, and the next highest percentage were widowed.

The survey asked questions relating to quality of life and asked people to rank the factors that they thought contributed to a good quality of life and the services they used, and the top three factors impacting on good quality of life. The themes that emerged in the needs and issues were health provision for people with disabilities or declining health, safety and security, social support in isolation, transport, financial concerns and shopping facilities. The other themes were community mindedness, hobby and exercise groups, adult education, support services, community programs and information, youth groups, entertainment and environmental care. Once again, it shows the strong sense of community of the older people in the Shortland electorate in that they are looking to the needs of youth within the area.

As I mentioned briefly earlier, health was identified as being by far the most important issue for older people within the electorate. The second highest ranked service was companionship, followed by security—and that includes both personal and financial security. The services most commonly used were clubs, libraries and social groups. I think it is important that I identify some of the issues that were raised when it came to health. Eighty-eight per cent of the people who completed the survey saw health as being very important. They emphasised the need for more doctors to bulk-bill, easier access to Medicare offices and improved hospital services. They felt that we needed better health facilities and more doctors within the area. Bulk-billing and accessibility of Medicare offices were constantly raised.

The other issue that was raised that was seen as being very important was aged care. That was linked to aged care facilities and the health issue. The overwhelming majority of people who completed the questionnaire identified that more accommodation in nursing homes and hostels should be available for those people who need it and that older people should also be able to access more help within their homes. Safety and security were important issues. It was very strongly emphasised by a number of the people who completed the survey that they needed personal safety and financial safety. I suppose the results of the survey were not necessarily unique or surprising, but they really emphasised that there are some areas that we can work on. Some of projects suggested were hobby and exercise groups, adult education, support services, programs for younger people, entertainment and environ-
ment projects. I will return to this in just a moment.

I would like to digress for a moment and talk a little about issues that were raised at a meeting I recently attended with aged care providers, and link this to the quality of life survey. As I have already mentioned, health was identified as being the most important issue for older people in the Shortland electorate. At this meeting, managers told me about the burden that the documentation and paperwork is putting on all aged care facilities. They argued that the residential classification system was placing the wrong emphasis on care. Care should be based more on a social model not on a medical model. It should be designed to maximise social involvement and good health and it should reward the facilities for achieving this. The current system rewards sickness. The audits of the RCS punish facilities if they improve the health status of the people living there. Funding should be based on what they can achieve to improve quality of life for people. As I have already referred to in the results of the survey, the most important thing for improving people’s quality of life was health. Our aged care facilities are being punished for achieving that. I would like to conclude by thanking all those people who completed the survey and who assisted Jenny with the research project. I would like to thank Jenny and the social work department of the University of Newcastle. My challenge now is to use this research to benefit the people of the Shortland electorate.

Immigration

Mr BAIRD (Cook) (4.38 p.m.)—As my grievance I would like to raise the grave concerns I have about tensions that have arisen recently between the Muslim community and the wider Australian community. Since the September 11 attacks against the United States, there has been undeniable sensitivity and even tension between Muslim Australians and other members of our community. This tension has inevitably been exacerbated by the bomb attack in Bali and the highly public trials of young gang rapists in Sydney who raped four equally young women over several days last year. The fact that these gang members were all Lebanese Muslims has meant that the ugly issue of race has been important since day one. Negative portrayals of the entire Lebanese community have followed as a result of the gang rape trials. I have been particularly concerned by some commentaries I have read in the paper and heard on talkback radio. In an article that appeared in the Courier-Mail last August, Michael Duffy wrote:

The problem is that Lebanese Muslims have a record of failing to assimilate into Australian society particularly well, which makes some of them bitter and aggressive.

There are a large number of groups that do not assimilate into mainstream society very well—not all of them based around race—and yet they are not suffering the same persecution currently being waged against Muslim Australians. When I was finishing university, I was coopted as a temporary psychologist to the immigration department to advise on which migrants tended to be appropriate in terms of staying longer term and which ones did not. At that stage, they were mainly talking about Anglo-Celtic migrants to Australia and trying to determine which groupings did not assimilate well, so this is an evolving issue.

In November last year, Professor Wolfgang Kasper tried to argue in the National Observer that migrants from the Middle East are inherently more costly for Australia than migrants from other areas. Dangerous, divisive attitudes such as these have no place in a tolerant, liberal democracy such as Australia and should be spoken out against. Some of the comments made on the recent Four Corners program on the gang rape trials provide a good illustration of how the Lebanese community has reacted to the paranoia about it. Members of the community said:

They’ll rip us apart if we don’t stand strong.

... of all the people that raping girls in the past, did you tell that they were Christians or Catholics or Jews?

... the whole community has been targeted.

When asked whether he thought it was a hard time to be a Lebanese Australian, high-
profile Bulldogs rugby league player Hazem El Masri said:

Look, you can’t deny that at the moment it is ... You know, we’ve been getting hammered.

In particular, I am very concerned by the intolerant tone of some phone calls and letters that have been received at my office in recent months. We must be constantly on our guard against racism and the evil of judging someone by their race. It can arise anywhere.

As recently as two weeks ago, an anti-Muslim group known as Australia First were distributing pamphlets at Caringbah station, in my electorate.

For more than 200 years, Australia has been a land of immigrants, a country that has gained much of its strength from people coming to it from far-off places. In more recent years, we have devoted ourselves to the concept of multiculturalism and have therefore opened our doors to a spectrum of new and different cultures and belief systems. The official statement of our multiculturalism accepts and respects the rights of all Australians to express and share their individual cultural heritage, so long as there is an overriding commitment to Australia and to the basic structures and values of Australian democracy. Geoffrey Levey, in an article in the *University of New South Wales Law Journal*, accurately characterises the Australian version of multiculturalism as requiring all Australians to accept the basic structures and principles of Australian society: the Constitution, equality between the sexes, parliamentary democracy, freedom of speech and religion, and English as the national language.

This Australian version of multiculturalism has faced threats before. No-one associated with this parliament could forget the threat posed by Pauline Hanson’s One Nation. Nevertheless, I have grave concerns that the emotive language that is being used by both sides in this current debate—and particularly the fanning of the flames that is occurring in the media—has the potential to do long-term damage to our ideal of a harmonious, polyglot society. Nobody would be naive enough to fool themselves that a diverse community such as ours will never have any problems between its constituent parts, but such problems must never be allowed to develop into deep divisions. As a nation, we pride ourselves on our laid-back nature and tolerance. As a nation, we should take the opportunity to remind ourselves of the overwhelming benefits that immigration has brought this country.

Perhaps the key advantage to our diverse society—other than the obvious culinary and cosmopolitan spin-offs—is that it provides what is known as productive diversity. Productive diversity means that, in an increasingly globalised world, Australia has a competitive advantage over other more homogeneous nations. Australian companies that employ migrants are able to use their employees’ local knowledge to better understand and break into overseas markets or to compete against another company from that country. A report by the Department of Immigration and Multicultural and Indigenous Affairs notes that many companies have recognised the competitive advantages of embracing the principles of productive diversity. Such businesses report increased productivity, greater staff satisfaction and better export marketing results. Were Australia to be a monocultural European enclave in Asia, we would have major difficulties in creating markets for our goods and services in our regional neighbours’ countries, particularly in Islamic countries like Indonesia and Malaysia. Last year Australian merchandise exports were valued at $3.2 billion to Indonesia and $2.5 billion to Malaysia. These markets are obviously significant contributors to our economy and we would be foolish to turn our backs on them.

Lower fertility rates and, in particular, the ageing of our population are other major areas of public debate at the moment. The Intergenerational Report showed that the number of Australians over the age of 65 was likely to double in the next 40 years. This demographic change means less productivity and fewer people paying tax, causing some concern about our future ability to maintain our standard of living. An immigration focus on young, highly skilled and productive people is an economically sensible way to address this issue. A recent study showed that a net migration to Australia of at
least 80,000 people is necessary to avoid population decline. So the fact that 105,000 people migrated to Australia in 2001-02 is welcome, particularly as that figure included the highest ever proportion of skilled migrants, at 58 per cent. Another empirical study showed that Australia is actually reversing the so-called brain drain into a ‘brain gain’ through its increased focus on skilled migrants—this group of migrants has a lower than average unemployment rate. Finally, experience has shown that we are rapidly able to fill any skill shortage in our economy. Most recently, we were rapidly able to address a major shortage of IT professionals during the high tech boom.

Obviously there is a compelling case to maintain our country’s commitment to immigration and multiculturalism, but are there any other areas where we could go further to increase the advantages? I believe there are a number of areas where further reforms could be considered. Firstly, the existing provisions for English language tuition could be extended. I believe there is room for even greater assistance with English language tuition for new migrants. Currently, around 6.3 million hours of tuition are provided by the government at a cost of $96 million. This commitment could, however, be taken further. Courses could take migrants to a higher level of proficiency than they do currently. Assistance cuts out once a person’s English is functional. The option of specialising in various areas of business English or technical English should also be provided. I make this argument because research by the National Institute of Labour Studies shows that English language skills play a key part in a migrant’s success when looking for work. English language skills also help a migrant to feel part of the wider community and less alienated.

Secondly, we should encourage younger migrants. Given the rapid ageing of our population, I feel that it is worth providing greater incentives for young people to migrate to Australia. Moves in this direction have already been made, with students who have studied here now being allowed to apply for residency onshore. I feel that it would also be worthwhile streamlining the process for skilled young people who have not studied here. Priority could be given to applicants aged 25 or under. Perhaps even a points concession could be granted. Younger people have high motivation, will be taxpayers for a long period of time and will raise their children in Australia. Related to this, I would also advocate a further extension of the current working holiday visa program, which does much to encourage young people to visit Australia and perhaps even to migrate here.

Another issue we could look at is the serious shortage of nurses in this country but, in conclusion, we need to attract additional immigrants. Our geographical isolation is an issue, as is the highly urbanised nature of our society. We have done much in terms of multiculturalism and addressing some of the challenges that exist today in terms of relations between particular cultural groups. By taking a proactive course in providing English language classes, by attracting younger people and, in terms of the skills base of this country, by encouraging more students and working holiday-makers, I believe that we will assist in developing Australia further as a tolerant, growing and younger community.

Defence: Shipbuilding

Ms ROXON (Gellibrand) (4.49 p.m.)—I would like to take the opportunity today in the grievance debate to talk about an issue that seriously affects my electorate and is currently being proposed by the government in its shipbuilding plan in the defence industry. There seems to have been a very concerning silence about the impact that this plan might have both on the workers living in my electorate of Gellibrand. It would be apparent to anyone in this House that, if Tenix
were to be the favoured provider, it would probably be very good news for my electorate; however, if Tenix were not, the consequences would be quite serious.

What I am concerned about and want to debate in this House today is the fact that there has been much talk about the needs of the Australian Submarine Corporation in South Australia and, in fact, the government has made the ongoing presence of ASC in Adelaide a requirement for any operator who might be the chosen single shipbuilder in Australia. I am concerned that the interests of one existing shipbuilding service are going to be put ahead of the interests of others. I want to make sure that, if a radical plan such as this one—which could have such an enormous impact on my electorate and on the level of employment in the western suburbs of Melbourne—is to go ahead, our voice is not lost in the clamouring there seems to be around for everyone to have a share and, particularly, to make sure that South Australia retains a viable Australian Submarine Corporation facility.

I am not challenging the need for some type of restructuring of our shipbuilding industry. I know that in the current environment people are thinking very seriously about our defence capacity and that obviously there needs to be better planning and better use of the defence money we have. But this rationalisation of naval requirements and the choice the government now faces in choosing one supplier will be a turning point in an industry that has had many players in it until now.

 Obviously, the government is the major—if not the only—purchaser of any naval ships built in Australia. It has massive control over the market in this area. Members of the House might be interested to know that over the last 15 years six large naval projects have been undertaken, with contracts awarded to five different companies based in five different locations. This has driven a real boom and bust cycle of very destructive competition, which has created great uncertainty amongst major players in the defence industry. It has meant that we have needed to wind up and wind down the facilities. It is very destructive and heartbreaking for employees who develop skills and then lose work, while others get reskilled. These fluctuations do not ensure long-term planning within the industry and the constant changes that have gone through have not necessarily ensured that we have got the best deal for our money.

If the government has predetermined that a facility in South Australia must be kept open, I am concerned that this could massively skew the outcome of the decision the government ultimately is going to make. It certainly might prejudice what will happen at Williamstown dockyards. I am also concerned that the decision the government might make to keep open the facility in South Australia would be based not on the merits of the Australian Submarine Corporation's skills, capacity or South Australian site but on political reasons. As a local member with the Williamstown dockyards in my electorate and as a Victorian, I believe that if we wish to make a major decision for the future of defence procurement, a decision that will have a lasting impact on our nation, we should consider many criteria and ensure that we make the right decision for the whole nation, not just taking account of political ramifications or making the decision with one hand tied—that is what the government is currently requiring by demanding that the Australian Submarine Corporation be part of any final decision to have a single shipbuilder within the country.

This is particularly important because Tenix is currently the only shipbuilder conducting production on the scale envisaged for the future shipbuilding needs of the country. It won the contract to build the Anzac frigates. The project will produce 10 frigates, including two for New Zealand, and is due to conclude in 2004-05. I have raised this issue in parliament before because it is such a significant one for my electorate. Obviously, we are very concerned about the future employment of people at the site. At the moment, the dockyards employ 800 direct staff and about 50 contractors. They also provide work for more than 500 Victorian suppliers. These figures are significant enough on their own, but they underscore the flow-on impact. A review conducted in the first couple of years of the Anzac frigate
project estimated that by building the frigates in Australia rather than purchasing them overseas we created 7,850 full-time equivalent jobs over the life of the project. That is an enormous number of jobs and an enormous benefit for the country. It is obviously of great concern to me that Victoria be able to continue to have a share of that production. Tenix has the skills and capacity to manage a major project of this type. Currently, the frigates are built by module. Many of them are built at Williamstown but many are built by other shipbuilders around the country and then transported to Tenix so that the final construction, bringing together and launching of the ship occur at Williamstown.

It concerns me that the government does not think that the skills of those people currently running those projects should necessarily be taken into account. The strategic plan makes a number of points and is at pains to point out that the skills of the workers at the Australian Submarine Corporation are not necessarily interchangeable with the skills of other shipbuilders. But it seems to me that the plan does not make the same effort to point out that, if they are not interchangeable in one direction, the skills in those workers, designers, engineers, planners and project administrators who have been managing this major project at Tenix for many years also need to be recognised. If we are going to have a sole Australian provider of naval shipbuilding and repair services, we must take account of the skills already in existence at Tenix Williamstown in my electorate of Gellibrand. I also think we need to take account of other issues that are mentioned in the strategic plan, like where our naval bases actually are—they are not in South Australia. The suggestion that the plan is being used to justify an outcome that has already been determined, rather than to genuinely look at what is in the long-term interests of this country. Any of us who have shipbuilders in our electorates will be devastated if we are not successful in convincing this government that those shipbuilders should stay in our electorates. However, I would be happier if I were confident that the process was going to be gone through and a decision made in our national interest and not predetermined—particularly by a South Australian defence minister who is taking into account some very local political interests, rather than making an assessment of the defence or naval needs of the country.

I am concerned that we make a decision which is honest and that we do not all run around saying that South Australia is the only employment market we need to worry about. I am sad to say that the western suburbs of Melbourne still have a much higher unemployment rate than South Australia—by a very significant amount. Surely that must be taken into account. As the local member, I will not sit by and let everybody protect South Australia and ASC and have no-one fighting to maintain the jobs in the western suburbs of Melbourne, where the staff have the skills and where we have the facilities. Tenix should be the frontrunner, if the government is going to take this direction with the shipbuilding industry in Australia.

Drought

Mr FORREST (Mallee) (5.00 p.m.)—I am grateful for the opportunity to present to the parliament an important report I have prepared. The report, entitled *Harvesting the skies*, specifically makes reference to the potential for cloud seeding to increase rainfall, using technology that has never been used in Australia. The nation is in a desperate position, as you have heard me say before, and I am putting my scientific and professional integrity on the line in tabling this
Mr FORREST—This report is designed to serve as a stimulant to encourage the CSIRO in particular to reconsider its current position in regard to the benefits of precipitation enhancement by cloud seeding in Australia. This report describes technology that has never been used in Australia and is presented in the context of the serious situation which currently exists in the south of the continent. There is not one water storage south of the Tropic of Capricorn that is more than half full and a great majority of the storages are nearly empty. This puts the current drought, where we do not have reserves in our water storages, in a different context from any we have experienced before.

In July this year, I went to Texas on a study tour on this subject. I went over there as a cynic, to be convinced. The situation in Australia is so desperate that the technology being used in Texas deserves to be at least investigated seriously here. In the report observations are presented from my study tour to the United States, where extensive rain enhancement programs have been under way for 30 years. Cloud seeding has not enjoyed enthusiastic support in Australia since our experience in the 1970s. Indeed, the Texans were surprised to see me there, saying that Australia led the world through that period on this subject. The contention is that insufficient moisture is present in Australian continental clouds. I am amazed by this when I see clouds cross my electorate unable to deliver rain.

The variety of weather and geological conditions in Texas are not unlike those in Australia. This report provides details of a range of programs inspected by me in Texas and presents very positive details on the efficacy of the rainfall outcomes that Texans are experiencing as a result of cloud seeding. They use a process called dynamic seeding, where they do not seed in a static way, as we have done and as we continue to do in Tasmania; they chase the clouds and find the very precise location at which to introduce the agents necessary to induce uplift and the creation of cumulus cloud, with resultant rainfall—a technique we have never used in Australia.

The details are compelling and the report concludes by recommending that the CSIRO renew its interest in cloud seeding research based on the use of high technology interpretive radar, which is used in Texas; and that this interest should commence with an immediate visit by CSIRO meteorologists to Texas as a matter of urgency. As I have said, the southern region of Australia is experiencing significant changes to its rainfall patterns. This has been a trend for the last 25 years—a quarter of a century. What has been happening on the dry continent is that the hydrological cycle has become increasingly infertile, and the drier and the hotter it gets, the more we lose our opportunity to investigate this technology.

In addition, we have the combination of El Nino, the southern oscillation index and airborne pollutants which reduce the capacity of clouds to deliver rain. All these known factors are scientifically studied. I offer the CSIRO an opportunity: let us not just sit on our hands; let us investigate what the rest of the world has been doing and let us not give up. This is not snake oil. I put my professional scientific credibility on the line. I do not know whether the Australian continent is so deteriorated that this technology cannot work, but things are so desperate out there that I believe we should be investigating every possible ameliorative measure at our disposal.

The Texans are convinced. In Texas, their program has been supported by state funding to the tune of US$5.88 million every year for the last five years. They measure the economic outcome for each dollar spent at 700 to one. They have a commitment from their state legislature for half the funding. The rest of it comes from the players, who are the water authorities scattered right across the west of Texas and all the local government divisions or counties, as they call them over there. In some situations, the farming bodies are contributing because they are convinced. I want to know why we have not taken an interest, if they are so convinced. We have let the situation deteriorate in Australia for a
quarter of a century. We gave up, and they did not; they stuck with it. They used all the same techniques that we used through the seventies but found they did not work on a dry, arid continent. Driving through the Pan-handle of Texas, you could be driving through the Western Division of New South Wales or through the federal division of Mallee. The only difference is the absence of mallee trees. Their underground water supply is on limestone: that is true of the water supply system for the eastern half of South Australia too. They have undulating, wind-blown sandhills—the same territory—with the deserts of New Mexico to the west.

I appeal to the CSIRO to renew its interest in this subject, to undertake a thorough investigation, to visit Texas and to bring that technology back and make it applicable in Australia before it is too late. My fear and anxiety is that it may well be, but I think that the people of Australia deserve access to the best technology in the world and to any possible technique that might overcome the adversity that is created for them. For me, the sad reality is that the largest open channel water system in the world, the Wimmera-Mallee stock and domestic system, which is progressively being piped to save water, will have no water next year for the townships to which it delivers water. Over a 25-year period, the storage in the Grampian region, which is the head works for the whole of the Wimmera-Mallee system, has progressively—year by year—had its water storages depleted. Even though we have had a break in the series of droughts that have occurred over that period, each time it has progressively got worse, to the extent that the current capacity of the Wimmera-Mallee storage system in the Grampians is down to 10 per cent.

It is a similar story for water storage in the south-west corner of Queensland. It is the same story through the whole of the coastal region of New South Wales and right across Victoria. In fact, Melbourne’s water storage capacity is now down to 58 per cent, and it has been announced that next month the good citizens of Melbourne will be washing their cars with buckets of water, under the most severe water restrictions they have ever experienced. It is time that the CSIRO lifts its game on this subject and investigates every possible opportunity we might have to ameliorate the pain and the economic disadvantage that absence of water in our dry continent is going to create. Yes, it is true that we need to be more conscious of using the water we have in a more conservative manner. And, yes, it is true that in all of the irrigation systems around our great country we need to be smarter about the way we use water. I am just a little anxious, though, about where the water will come from. It all comes from the sky. It concerns me that in the world’s water system, 580,000 cubic kilometres of water evaporates from the ocean and, of that, 470,000 cubic kilometres falls back on the ocean. We need to find ways to make sure that that falls on dry continents like Australia. The United States have twigged how to do it. I am calling on the CSIRO to take some action on this constructive report they have gone to the trouble to prepare.

Drought

Mr WINDSOR (New England) (5.09 p.m.)—Before launching into my grievance, I would support the member for Mallee in the statements he has made. I had some dealings with Tasmanian cloud seeders in the Tamworth area back in the mid-nineties. You may well have been the minister who was responsible in those days, Mr Deputy Speaker Causley. If we are to believe some of the climatic forecasts that are being pursued in terms of the future of this continent, we have to explore a whole range of opportunities. I would support the member for Mallee’s call to at least examine the feasibility of cloud seeding and the impacts it can have. There would obviously be positives and negatives, for and against, but I think it is time that we at least look at the scientific evidence that is available. There are a number of other avenues; I will just mention a recent trip I had to South Australia where we were looking at artificial aquifer recharge. It is a reality in the city of Salisbury—it is happening. It is clean water that is being filtered through a wetland. There are a number of avenues where, in a sense, we can create new
water through innovation and efficiency, without having to go to the extreme of diverting rivers, as some people are suggesting at the moment.

My grievance is, once again, Telstra. As members of the House will have recognised, the country independents embarked on a survey of their various electorates, and I would like to report the results of the survey of my electorate. The survey was sent out to households, and it asked a range of questions. The first was: is the household in favour of the sale of Telstra or is it not? There was then a whole range of questions in relation to service levels. The reason for this survey was to supply the Estens inquiry with some specific complaints that people within the electorate of New England had so that it would comply with the terms of reference of the Estens inquiry. The Estens inquiry is not about whether or not Telstra should be sold; it is the prerogative of the government to either introduce legislation or do as the people would like them to do: not introduce the legislation. But I would like to convey the findings of the survey. Over 6,000 people replied. When asked ‘Do you want Telstra sold or not?’ 98.9 per cent of respondents said no, they did not want it sold. Of those 6,000 people who responded, about 4,100 had specific complaints: 41 per cent were about mobile phones, 18 per cent were about Internet problems, 12 per cent were about landlines, 10 per cent were about cabling and infrastructure, seven per cent were about broadband access and 13 per cent were ‘other problems’. Other research we have done also indicates that for the electorate of New England to come up to speed on mobile services would require some 25 new mobile towers.

Last week I received a copy of a similar survey done by the New South Wales Farmers Association. They did not ask the question as to whether or not people wanted Telstra to be sold, but they asked the question: is it up to scratch. Seventy-five per cent of respondents from the farming sector believe that there are problems with service delivery and 89 per cent mentioned mobile phone service black spots. I know the member for Calare and the member for Kennedy had similar percentage outcomes within their electorates, and I think they would be fairly representative of country electorates generally.

I pay credit to Telstra Country Wide. I received a phone call from Telstra Country Wide and they wanted to know what the specific problems were. My staff transferred all the details of the problems—names, addresses, specific problems—onto a computer disk, and we arranged for that to be transferred to the staff of Telstra Country Wide. Telstra Country Wide have put on more staff in the city of Armidale to examine each of those specific problems. I think that is an encouraging indication that vindicates the people filling out the survey. At least something is being done about their specific problems. I would like to congratulate my staff because it was an enormous task to collate all those details.

The resounding answer that is coming through from country people is that Telstra is not up to scratch. For the life of me I cannot understand why the government had to embark on this so-called Estens inquiry, because it is quite obvious—and to anybody who happens to have read some of the submissions that have been made to the inquiry it will be more obvious—that people do not want Telstra sold; it is not up to scratch. I suggest that senators who have been lobbied fairly heavily in the last few months should give an indication of whether or not they would support the sale of Telstra; if so, at what price? If they are serious about taking on board the concerns of country people they should not support the sale of Telstra.

The indication that I am getting—is what my spies are telling me—is that the various senators whose vote would be required to support the sale of Telstra will not in fact support that sale. So I would nearly bet 105 per cent that Dick Estens will come down with a negative and that the government does not introduce the legislation into the parliament. I am hoping that is an outcome. I would have thought that the National Party in particular, but also the country Liberals in this chamber, would have demonstrated the will of their constituencies. It is not only about service levels—and anybody
in the country who has an ounce of sense would know that service levels are not up to scratch—but also about access to future technologies. The future of country Australia is going to depend on equality of access to those services into the future, including some services we have not yet heard of.

The Prime Minister’s answer to a question from me in this place about six weeks ago made it quite clear that a government—this government—cannot bind a future government to guarantee anything. The Prime Minister, quite rightly I guess, played a bit of politics, saying, ‘Vote Liberal all your life and it’ll be right.’ But that is not the way of the world. What it does suggest is that a Liberal government—or a Labor government—that follows this one can change all the rules. We went through this exact strategy with the sale of Sydney airport. We had the Minister for Transport and Regional Services saying, ‘Trust us. Everything will be okay. We can lock all these things—noise levels and service levels—in some sort of regulation or legislation.’ Two days after the sale of Kingsford Smith airport, Senator Nick Minchin, who is also out there saying that Telstra should be sold and service levels are very good and all up to scratch, said in the Financial Review—and I can give anyone who wants to see it a copy of the paper—that no current government could bind a future government to any of those regulations that this particular government thought were appropriate. So noise levels and regulations on landings et cetera are not worth the paper they are written on beyond the term of a parliament. That is the Constitution; that is the way it should be.

In conclusion, one may have noticed in the last week that there is an independent candidate standing for the seat of Barwon and that there has also been quite an occurrence of messages going in relation to the sale of Telstra. People know that Dick Estens lives in that seat, that John Anderson lives in that seat, that the president of the National Farmers Federation lives in that seat. The messages that are now being sent quite loudly are that if we defy the will of the people of Barwon they will, quite rightly, put in place a very well-recognised individual, one Jack Warnock, the Independent candidate in that seat. So I am encouraged that there are changes afoot. I call upon the government to remove this cloud that is hanging over people’s heads because there is a lot of concern out there that, if Telstra is sold, country Australians will lose the advantage that they might have if they have equity and equality in access, at realistic prices, to those services we have now and will have into the future. It is ultra-important that country communities have access to those services. It is the one thing where, if we are on the same playing field, we can gain a comparative advantage against our city cousins. (Time expired)

Rural and Regional Australia: Services

Mr HAASE (Kalgoorlie) (5.19 p.m.)—I rise today to address the issue of inequity in the bush. It is interesting that I follow the member for New England. Having heard his comments about the level of Telstra services and his assertion that Telstra is not up to scratch, I would remind him and members of this House that Telstra is not a charitable exercise by Telstra or any other telecommunications service provider that provides the level of service anywhere in Australia; it is a combination of being commercially driven and of government’s requirements that telecommunications companies provide services of a particular order and that dictate where they are provided. Universal service contracts and community contracts are the measure of the day that dictate improved telecommunications services in the bush.

Since my election to federal parliament I have worked constantly to close the gap between city and regional living and to address some of the inequities that have existed in the past to a greater extent. I believe that, slowly but surely, we are reducing that gap of service between city and rural Australia. We have, to my mind, greatly improved telecommunications services in the bush. I hark back to an era when children being educated on stations in my electorate were still using pedal radio. Today, satellite telephones allow individuals checking watering points on stations to phone up the homestead if they get into strife, and assistance can be very quickly rendered. So things have improved in the
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bush. Funding situations have improved. We have RAP funding readily available now to rural communities. We have Regional Solutions Program funding. We have Roads to Recovery funding. So, much has been done, but I believe there is a long way to go.

In line with a private member’s motion I spoke to in the House earlier this year, I believe we need to encourage and compensate people choosing to live and work in remote areas of Australia by increasing the taxation zone rebate to an adequate level and we need to discourage the practice of fly in, fly out employment by restricting the payment of taxation zone rebate to permanent residents in remote areas of Australia. These moves would help encourage permanent work forces and residents to go to areas suffering from diminishing populations. They would also help with the funding of local infrastructure and help support the call for improved and increased services in regional areas.

The taxation zone rebate was introduced to compensate for the disadvantages faced—hard climatic conditions, isolation and high living costs. The value of this rebate, however, has diminished over the years, resulting in a rebate which once gave country people about five weeks worth of extra wages a year but which today is not enough to pay the difference between the cost of a newspaper in the bush and the cost of one readily available in the city. The zonal rebate was last assessed in 1991. I believe it is high time it was looked at again in the light of current circumstances.

Over the past few months, 14 local government bodies in my massive electorate have contacted me with views on taxation zone rebates. These are in addition to a number of letters on the subject from organisations, businesses and individual constituents. The letters have made for some interesting reading. The Shire of Upper Gascoyne advised that it receives the ordinary zone A allowance, as it is within a certain distance of a regional centre—Carnarvon—yet the main township has no shops, no medical services, no emergency services, no all-weather road access and no public transport. However, the neighbouring shire, the Shire of Meekatharra, receives the special zone A allowance even though it has many of these facilities. The Shire of Upper Gascoyne seeks a review of its zone status.

The City of Kalgoorlie-Boulder has called for incentives for people to work and live in and contribute to the development of regional, rural and remote Australia and for the reinstatement of taxation zone rebates to a value equivalent to 1958 levels. The Esperance-Eastern Goldfields Country Zone of the Western Australian Local Government Association called for the taxation zone rebate to be applied only to permanent residents of the zone area. The Shire of Broome pointed out that the cost of living in Broome is approximately 13 per cent more than in Perth. To account for this increase, the shire tops up its employees’ salaries with the Broome allowance, currently $7,300 a year. In 2001-02, the shire’s total wage bill was almost $4.5 million, which included a Broome allowance of about $750,000. Ratepayers are required to foot the bill for this.

The Shire of Roebourne is classed as a zone A area, which provides for an allowance of $338 per annum for a single person. The shire advises that the cost of a typical basket of groceries is up to 45 per cent more than in Perth; petrol costs approximately 20 per cent more than in Perth; insurance premiums are significantly higher, due to the risk of cyclone damage; and rental properties in Karratha are between 50 per cent and 100 per cent more expensive than similar Perth properties. The shire has proposed a zone concession model which applies a consumer price index value to all regional centres. This would be done by determining the average cost of products and applying a greater concession to regions with a higher CPI value. This concession would be offset by an individual’s income. Income earners in the Shire of Derby-West Kimberley receive an annual rebate of $320, which does not even cover a six-month subscription to the West Australian newspaper.

The lack of incentive provided by the rebate does little to discourage fly in, fly out employment in the region. Local clubs and organisations are also struggling with hikes in insurance premiums. The Shire of North-
ampton has called for a review of the taxation zone rebate and also a review of the fringe benefits tax. The shire has experienced difficulty in attracting employees to the region, and the cost of attracting them is significant. The shire believes that the imposition of GST and FBT penalises country people, and has called for the abolition of FBT. It believes that, although an increase in the taxation zone rebate would assist employees, it would not necessarily provide an incentive for employers. The Gumala Aboriginal Corporation has called for the decentralisation of Australia in order to assist regional towns. The corporation also opposes fly in, fly out employment and believes that it is ruining Tom Price, as it has apparently done to Newman. It also believes that incentives are required to encourage tourism in regional areas.

In the bush, we are often lacking in services that the city take for granted. We pay more for air services. A trip to the city from Kununurra will cost $1,400 return. Dirt roads can be impassable during wet weather. The availability of air services is as essential to regional areas as bitumen roads are to the cities. We have greater problems in attracting qualified medical, teaching and administrative staff, and our choices are fewer and the cost of goods higher. Insurance cover north of the 26th parallel is almost impossible to obtain today.

Linked to the taxation zone rebate argument is the practice of fly in, fly out. Despite huge exploration and mining projects in some regions, the benefits simply are not flowing to local communities. Royalties from mining go to the state and federal governments, not to local government, and many larger companies employ fly in, fly out work forces. Labor’s fringe benefits tax spelt disaster for WA regional areas. This has resulted in employees who work in the outback living in Perth, where most of their wages are spent. The coalition exempted the provision of housing for employees from FBT but the practice remains, with disastrous results.

I am not advocating that, for every new mine, a new town should be built. I am advocating some rationalisation of the existing housing infrastructure in existing towns where populations are emptying out and new employees for new mine sites being placed in accommodation in those existing towns and being able to fly in to and out of the new mines from there. Fly in, fly out places extreme stress on family units. The recruitment policies for fly in, fly out are practised by more than a third of Australia’s 156 non-energy mines, 90 per cent of which are in remote regions. (Time expired)

Indonesia: Terrorist Attacks

Mr DANBY (Melbourne Ports) (5.29 p.m.)—On our national commemoration day yesterday for the victims of the events in Bali, I, like many members in this House, attended appropriate services. I was particularly pleased to attend the very moving ceremony that the Balinese community had in the Fitzroy Gardens in Melbourne. Seeing the breadth of Australian people there and the deep affinity that many Australians have with Bali—and indeed that the Balinese have with Australia—one gained another insight into the tragedy that is being felt all around this country. In an earlier speech, I called for people to have some tough-minded thinking about the causes of terrorism. This is not an issue for the Left or the Right; it is very important for all Australians. This is an issue that affects the safety of all Australians and is something that all members of this parliament should be concerned with.

It is particularly interesting to focus on the comments of the gentleman who is said to have led the group believed to be principally involved in orchestrating this dreadful act, which seems to have killed over 100 Australians. The head of Jemaah Islamiah, or JI as it is called, is known as Abu Bakar Bashir. He insists he has never been to Australia; however, I saw an interview with a gentleman from a very important mosque in Sydney who said that he had personally spoken to him here. It is very interesting that a man who claims never to have been to Australia has been here, perhaps to visit the fleshpots. In Saturday’s Age there was an interview by its Indonesian correspondent with Abu Bakar Bashir. He was asked whether he had any sympathy for the victims of Bali. He said that he did not and that the victims’ souls would go to hell because they are infidels.
When asked whether he had any message for their families, he said, ‘Please convert to Islam as soon as possible.’ There are other examples of this man’s outrageous claims. He told the *Boston Globe* on 18 October:

> The people who died in Palestine will go to heaven, while the people who died in Bali will go to hell. They are infidels.

This is the mentality that we are dealing with.

It is very important to understand that this fanatical view of the world is so atypical of the dominant, tolerant Islam of the tens of millions of people in Indonesia. In Indonesia the dominant form of Islam is called Hanafi Islam. Over the centuries, Islam in Indonesia has expressed its tolerance to the very big minorities there of Christians in the Moluccas and Hindus in Bali. There has been a foreign intrusion, funded by al-Qaeda. There is a report today in the *Australian* and in the *London Telegraph* that, from an account of Mr bin Laden, $US73,000 was paid for the bomb that Mr Abu Bakar Bashir’s operations chief Hambali allegedly used in Bali. If that is proved to be true—it is one piece of evidence that is coming out—it is part of the jigsaw of fanaticism that has brought about the death of 100 Australians. The JI terrorists will destroy the economy of Bali, but hopefully they will never destroy the friendship, which I saw on the weekend, between the Balinese and the Australian people. People around this country are thinking of many great projects to positively express that friendship. One of the ones dearest to my heart is the prospect that one day Australia will fund a first-class hospital in Denpasar. It will be a permanent memorial to the people whose lives were sacrificed by these cruel, ruthless and fanatical people. As I said, the fanatical students grouped outside Mr Bakar Bashir’s hospital are not at all representative of Islam.

It was contemptible to read, as I did in the *Sydney Morning Herald* on Saturday, the thoughtless comments of Saddam Hussein’s henchman, the former Iraqi ambassador to Australia Abdul al-Hashimi. He said that it serves Australia right because of a particular alignment that he perceives in Australian politics. This grotesque claim that somehow Australians deserved the Bali bombing is the core of what I want to address today. During the week, I found it very hurtful—and I think a lot of Australians would have—that some Australians sought to make excuses and explanations for this hideous act. There is no justification for the murder of over 100 Australians—not under any circumstances. No alignment of Australian policy justifies terrorism. I refer in particular to a couple of these claims made by people in public life. Frankly, the Anglican Primate of Australia shocked me with his view. Surely he has the age-old biblical understanding of the ‘pride of life’—the arrogance of those who still breathe, and shrug that the dead are already gone and that their memory and anger at their unfair departure should nevertheless not endanger our own tenuous claim on the world above—and it underlies his regrettable views. I also want to draw out the particularly regrettable views of the former Australian ambassador to Saudi Arabia, Mr Bruce Haigh. He said on the Nine Network:

> The root cause of this issue—of the death of 100 Australians—has been America’s backing of Israel on Palestine.

What absurdity will he say next—that perhaps Footscray lost the grand final because of it?

It may be, in this kind of mad logic, as Mark Steyn argues in the *Spectator*, that so-called ‘Muslim frustration’ for Washington’s support for so-called ‘Israeli intransigence’ lends some rationale to blowing up 100 young Australians in Bali—but it does not make sense to me. Mark Steyn continues:

> This most elastic of root causes, stretched halfway around the globe to place Americans, Jews or Israelis as responsible for these deeds, is the most odious logic...

I agree with Steyn here. Indeed, the more you insist on what Steyn calls this ‘Islamic psychosis’ that Abu Bakar Bashir has evinced in his comments after the cruel death of 100 Australians, and, as Steyn says, the more you suggest that this is accommodated, the more you risk sounding—and I regret to say this to the Anglican Primate and to Mr Haigh—as nutty as the terrorists. That is the
regrettable situation we have got ourselves in.

The al-Qaeda people in Yemen, after blowing up the French tanker, were asked why they did it—because France has been perhaps the only possibility that Saddam Hussein would have to veto UN action against Iraq. The spokesman for the Islamic Army of Aden said:

We would have preferred to hit a US frigate, but no problem because they are all infidels. This is the mentality that we have to understand. We are up against a group of people who have no rational system of beliefs that we can agree to. There are no rational accommodations that can be made with them. We have to understand that before we reach the next stage, which is what reaction we should have. After grief, Australians are going to get to the stage of being very angry after Bali. We then have to get to the stage of analysis of what these terrorists are really about. Australia is a reasonable country and, in circumstances where people have reasonable demands of us, we will accommodate those kinds of demands if we can. But we have to understand that Abu Bakar Bashir’s comments are made by an evil terrorist. The terrorists who perpetrated these deeds and who have no rational accommodation can only be fought—and should be—by leaders on both sides of this House.

Australian Labor Party

Ms PANOPoulos (Indi) (5.39 p.m.)—I rise today to comment on some disturbing trends in political representation. The humiliating defeat of the Labor Party at last weekend’s by-election is a watershed for that party—it is a new low. It has been more than 50 years since an opposition party lost a seat at a by-election. Instead of delivering the third way, Simon Crean has delivered the lost way. The Cunningham by-election has confirmed the desperate need for the Labor Party to pull its head out of the sand. It can no longer get away with an arrogant disregard for the Australian community, particularly in electorates that have been considered traditional Labor territory. If the Labor Party expects electoral support in our country—that is, the greatest democracy on earth—then it should start democratising itself. The devastating defeat for the Labor Party on the weekend was a wake-up call to start valuing and empowering its local branch members instead of treating them as election-day fodder.

In spite of evidence, in the form of Labor Party emails, that there was adequate time to hold a democratic preselection, head office imposed their candidate on the local branches in Cunningham—continuing a long tradition of trampling on the local branch members in that electorate. It is no surprise that local loyal party workers had their patience exhausted and could no longer accept the manipulation and arrogance from head office. Mr Crean has said that, if anything, he should be judged as being too soft in allowing Stephen Martin, the former member for Cunningham, to retire. Mr Crean and the Labor Party were judged for being too soft on more than that: too soft on the unrepresentative unions that have a stranglehold on their party, too soft on the factional chieftains who treat electorates as their private fiefdoms, too soft on the self-indulgent fringe dwellers in their own party that undermine sensible policy on illegal immigrants and too soft on border protection. Only time will tell whether ordinary ALP members will be able to reclaim their party.

If the recent ALP rules conference is anything to go by, this hope will be in vain. A few weekends ago, Simon Crean was strutting the roost, claiming that he had achieved a great victory by changing the 60-40 rule. While pretending that union power had been trimmed and the factional hacks had been reined in, Simon Crean buckled to the demands of another faction: the sisterhood, led by politically disgraced former premiers Joan Kirner and Carmen Lawrence. Rather than putting these political failures out to pasture, the Labor Party have promoted them to iconic status. The Labor Party are now to be made up of 40 per cent women, 40 per cent men and 20 per cent selected on merit—although the ALP sisterhood will still need to wait until 2012 to implement these embarrassing quotas. What more can anyone add to the fact that only 20 per cent of candidates will be selected on merit? I have a message for the women in the
Labor Party: if you act the victim and get elected as a token, expect to be treated like one by the men in the Labor Party and the Australian public.

Although much recent political commentary has focused on the federal ALP and its New South Wales branches, the Victorian Labor government deserves a closer look. It was given the honour and responsibility of governing for all Victorians and has squandered an opportunity to deliver good government. It is curious that Mr Bracks claimed to herald a new style of leadership in 1999. He has failed dismally and relied on riding the wave of the successes of the former state Liberal government. In a brave new world of policy-free zones, there is a dirty word that no-one dares utter within earshot of the Victorian government. Mention the word ‘policy’ and you will send a cold shiver through the corridors in Spring Street.

Worse still, the Labor government has enforced crippling costs on small businesses and local country hospitals, particularly through changes to the WorkCover scheme. We have seen an enormous rise in WorkCover premiums in situations where an employer has never had a claim or has had a reduction in claims. For all its misguided assertions about open government, we need only look at how, under the Bracks government, the reform process has stopped; the surge in major projects and events experienced under the previous government has all but ended; every issue is bogged down in inquiries, consultative committees and bureaucratic red tape; and the once-confident manner in which we Victorians assumed our place within the country has been diminished. Time and time again we hear that Mr Bracks is looking into that or examining this, but the net result of all this talk is government bureaucracy stifling the reform process and a realisation that a do-nothing government has yet to come to terms with its responsibility to govern.

The Bracks government’s version of job creation is to commission more than 700 reviews and committees since taking office and to spend more than $100 million on outside consultancies. We saw the alarming case of a consultant hired by the Premier to advise him that he should keep a notepad on his desk for telephone messages. If so much taxpayer money were not involved, this episode would be a humorous glitch more adequately suited to an episode of *Yes, Minister*, but this consultancy has cost the Victorian taxpayer $30,000. All this has occurred at a time when 21,000 jobs have been lost in the manufacturing industry alone.

The recent internal divisions emerging from the federal parliamentary Labor Party regarding a reduction in union influence appear mild when one looks at the influence that the union movement has had on the Bracks government. It is like watching a horror puppet show—the union puppet masters are pulling the strings and the grateful Labor state cabinet is smilingly dancing to their tune. Let us look at some examples. The cost of Federation Square has blown out from $100 million to $450 million. In another deal, Steve Bracks has scandalously refused Commonwealth funding of $90 million towards the redevelopment of the Melbourne Cricket Ground because the conditions attached by the federal Minister for Employment and Workplace Relations were unacceptable to the building union. Victorian taxpayers will now have to foot the bill. What were these terrible conditions that were so unacceptable to the unions? The federal workplace relations minister merely requested that the MCG redevelopment comply with the building industry national code of practice, which allows for access to a building site by the federal Office of the Employment Advocate to ensure compliance with the Workplace Relations Act.

It is in this context that I state some of the recent operations of the CFMEU. This is the powerful union that gained more than $1 million from developers in phantom union tickets and donations to its funds in order to cover up non-union labour and subcontractors, which allowed developers to buy industrial peace on building sites. There was the recent public case of the CFMEU causing $100,000 worth of damage at the National Gallery of Victoria site in a protest against a demolition contractor covered by the rival Australian Workers Union. It is of little comfort to Victorians that they can expect further
examples of militant union control over the Bracks government if it wins another term in office. The saying ‘Ask and you shall receive’ has come to signify something very different in Victoria. The Victorian taxpayer is now funding pay rises to union members, who simply have to ask for a pay rise and they receive one.

Another example of the Bracks government’s incompetence has been its mishandling of the Scoresby Freeway development. Mr Bracks has shelved plans to begin this development as promised this year, even though the federal government had allocated $445 million to this project. One would have thought that a substantial injection of federal funds for this project would have been welcomed by an increasingly spendthrift state government. This decision is another stark example of Mr Bracks saying one thing to win a few votes and then failing to deliver when it matters most.

Unfortunately, the list of failures under the Bracks government is growing by the day: the inability of the Labor state government in Victoria to convince Virgin Airlines to have its home base in Melbourne, the recent Seal Rocks tourist centre contract fiasco, the collapse of the studio city contract at Docklands, and international airlines thinking twice about having direct flights in and out of Melbourne. Of course, one cannot forget the behaviour of Mr Bracks in appointing one of his best mates, Jim Reeves, to a top government job—the very behaviour that his new style of leadership was intended to eliminate.

In social policy, too, the Bracks government has been far from impressive. Victorians are growing increasingly sceptical of a premier who, at the last election, campaigned strongly against a casino culture developing in Victoria, and yet now his government is taking $1 billion per year in gambling revenue. Reducing the reliance on gambling revenue was part of Labor’s major agenda, yet Mr Bracks and his Treasurer, John Brumby, have caught the gambling bug themselves and are increasingly beholden to the gambling dollar.

The increased reliance on more taxpayer revenue does not end there. There has been a 79 per cent increase in stamp duty revenue in Victoria since 1999, and the overall tax burden has increased by 30 per cent. Not one non-business tax has fallen since the Bracks government came to office in September 1999. This is having a crippling effect on Victorian families and Victorian small businesses. The Labor state government ordered a change of the slogan ‘On the move’ on Victorian numberplates. Under Steve Bracks and the Labor Party, Victoria is on the move—unfortunately, Victoria is moving backwards. Good government requires vision, incentives, careful planning and the guts to make the right decisions for all voters. Fundamental to all of this is the understanding that money spent by government belongs to taxpayers and is not a slush fund to keep union bosses appeased and mates employed. (Time expired)

The DEPUTY SPEAKER (Hon. D.G.H. Adams)—Order! The time for the grievance debate has expired. The debate is interrupted and I put the question:

That grievances be noted.

Question agreed to.

MAIN COMMITTEE

The DEPUTY SPEAKER (Hon. D.G.H. Adams)—I advise the House that the Deputy Speaker has fixed Tuesday, 22 October 2002, at 4 p.m., as the time for the next meeting of the Main Committee, unless an alternative day or hour is fixed.

COMMITTEES

Industry and Resources Committee

Membership

The DEPUTY SPEAKER (Hon. D.G.H. Adams)—The Speaker has received advice from the Chief Opposition Whip that she has nominated Mr Fitzgibbon to be a member of the Standing Committee on Industry and Resources in place of Mr Byrne.

Miss JACKIE KELLY (Lindsay—Parliamentary Secretary to the Prime Minister) (5.50 p.m.)—by leave—I move:

That Mr Byrne be discharged from the Standing Committee on Industry and Resources and that, in his place, Mr Fitzgibbon be appointed a member of the committee.

Question agreed to.
Ms JULIE BISHOP—On behalf of the Joint Standing Committee on Treaties, I present the committee’s report entitled Report 48: Treaties tabled in August and September 2002, together with the minutes and Hansard transcript of the proceedings of the committee.

Ordered that the report be printed.

Ms JULIE BISHOP—by leave—The report contains the results of an inquiry conducted by the Joint Standing Committee on Treaties into 10 treaty actions tabled in the parliament on 27 August and 17 September 2002. Specifically, the report deals with Amendments to the Schedule to the International Whaling Convention. The amendments maintain the ban on commercial whaling and permit Aboriginal whalers in some parts of the Northern Hemisphere to continue their hunt. This accords with Australia’s long-held position on the banning of commercial whaling and the limited hunting of whales by Aboriginal subsistence cultures to meet demonstrated traditional, cultural and dietary needs. The committee notes that Australia’s domestic legislation has stronger protections for whales in Australian waters than those afforded under the convention.

The report deals with two agreements regarding compensation for oil pollution damage caused by spills from tankers. The changes to the limitation amounts in the 1992 Protocol of the International Convention on Civil Liability for Oil Pollution Damage and the changes to the limits of compensation in the 1992 Protocol of the International Convention on the Establishment of an International Fund for Compensation for Oil Pollution Damage will increase existing limits in both conventions to take account of the erosion of their value by inflation since 1992. The committee accepts that it is in Australia’s interests to accept the proposed amendments to these conventions as they were supported by all interested parties and are minor by nature. The committee, however, anticipates an improvement in the notification processes for such actions; in this case, both had been tacitly accepted before the department notified the joint standing committee.

The report also deals with two protocols amending double tax agreements with Canada and Malaysia. These are similar to several other treaties examined by the committee since its inception. The general aim of double tax agreements is to promote closer economic cooperation through the elimination of overlapping taxing jurisdictions and to prevent international fiscal evasion. The specific aim of the proposed protocols amending the double tax agreements with Canada and Malaysia is to align these agreements with current Australian tax treaty policies and practice. The committee has recommended ratification in both cases. Following recommendations in report 46 of the committee, Treasury provided greater detail of the specific issues and quantitative gains and losses that will accompany the amended double tax agreements with Canada and Malaysia through supplementary national interest analyses for each protocol. The committee notes, and is satisfied with, the ongoing efforts of Treasury to provide fuller and more specific details in relation to individual double tax agreements that come before it. Concerns about the inability of the government to quantify some amounts, while apparently being more certain of others, continued to occupy the attention of the committee in relation to the estimated benefits and losses accompanying the extension of tax sparing arrangements with Malaysia.

The committee recognises that economics is far from being an exact science as it requires the making of assumptions about the conduct of individuals who have open to them a large number of possible actions. However, the committee urges that Treasury continue in its efforts to provide as much information as possible about the assumptions on which it makes its policy decisions and what it hopes to achieve from the actions it implements in double tax agreements.

The Agreement between Australia and the USA concerning Security Measures for the Reciprocal Protection of Classified Information sets out procedures and practices for the exchange and protection of classified information and for visits between Australia and
the United States of America. The agreement is similar to ones concluded with other countries and will set uniform standards and procedures for exchanging classified information between all government departments and agencies in both countries. The proposed agreement provides the necessary protocols and security assurances to facilitate the exchange of classified information by ensuring that the information is protected by legally binding obligations.

In response to the concerns of some Australian parliamentary representatives, the committee was assured by the Department of Defence that members of parliament would have access to classified information with no requirement for a security clearance. In the context of Article 11 of the treaty, the committee expressed concern about the ability of Australian members of parliament to visit joint facilities in Australia and the arrangements for visits of American elected representatives to those sites. The committee requested further information from the Defence Security Authority on this and some other matters but is still awaiting clarification on some of the points raised. Despite the committee’s concerns about some aspects of the agreement, it is of the opinion that overall the treaty is in the national interest and should be ratified.

The Treaty between Australia and the Hellenic Republic on Mutual Assistance in Criminal Matters is similar to several others already in place between Australia and other countries and is based on the Australian model mutual assistance in criminal matters treaty. Mutual assistance can be requested under the Mutual Assistance in Criminal Matters Act 1987, but a country is not obliged to provide it. Therefore a treaty, providing legal obligations on both parties, makes the process both more certain and more efficient. The committee agrees that this proposed treaty action will make mutual assistance in criminal matters between Australia and Greece more efficient, and it has recommended ratification.

Finally, the purpose of the Agreement between the Government of Australia and the Government of New Zealand relating to Air Services, signed at Auckland on 8 August 2002, is to allow direct air services between Australia and New Zealand to facilitate trade and tourism. This open skies agreement is the first of its type and is in keeping with the principles of the Australia-New Zealand Closer Economic Relations Trade Agreement and the Australia-New Zealand Single Aviation Market Arrangements, which entered into force on 1 January 1983 and 1 November 1996 respectively. As an open skies agreement, the committee was advised that virtually all the barriers that pertained to the normal bilateral treaties had been removed. The agreement will confirm the existing liberal aviation rights between the two countries—as in the single aviation market arrangements—as well as remove some of the remaining restrictions in the aviation arrangements between Australia and New Zealand.

The committee agrees that, by facilitating the development of the single aviation market between the two countries, the agreement will promote benefits for inbound tourism, freight operations and greater air travel options for Australian consumers, and recommends that binding treaty action be taken. It is the view of the committee that it is in the interests of Australia for the treaties considered in report 48 to be ratified—where binding action had not already been taken—and the committee has made its recommendations accordingly. I commend the report to the House.
WORKPLACE RELATIONS
AMENDMENT (FAIR DISMISSAL)
BILL 2002 [No. 2]
Second Reading
Debate resumed from 17 October, on motion by Mr Abbott:
That this bill be now read a second time.
upon which Mr McClelland moved by way of amendment:
That all words after “That” be omitted with a view to substituting the following words:
“whilst not declining to give the bill a second reading, the House:
(1) confirms that the protection from being unfairly dismissed is a fundamental safety net issue for Australian workers and their families irrespective of the size of the business in which they are employed;
(2) notes that the Australian Labor Party, in Opposition and as a future Government, is committed to working with small business, employees and peak bodies to make unfair dismissal laws more effective by addressing procedural complexities and costs; and
(3) condemns the government for:
(a) promoting socially divisive policies for its political purposes;
(b) using the issue of unfair dismissal to deflect criticism of the fact that its taxation policies have tied up small business in an unprecedented level of complexity and red tape;
(c) proposing legislation that would actually expose small business to other areas of more complex and costly litigation;
(d) undermining the security that unfair dismissal laws have given Australian workers and their families;
(e) failing to assist small business to develop effective human resource strategies in terms of the selection, ongoing training, supervision and management of employees; and
(f) failing to heed calls from the small business community for a more constructive approach to the issue of unfair dismissal that is likely to result in uniform national standards underpinned by the concept of a “fair go all round”.
Ms GRIERSON (Newcastle) (5.59 p.m.)—Before I continue my speech relating to this debate, I would just like to take the opportunity in the House to give all the students in my electorate of Newcastle who sat their HSC today my best wishes. We certainly hope they get the outcomes that they are hoping for. Also, for all the students—from those in year 12 to the senior citizens—throughout New South Wales, good luck! Some advice: after all the raging and the exams are over, please take care.

Turning to the Workplace Relations Amendment (Fair Dismissal) Bill 2002 [No. 2], with regard to the government’s supposition that unfair or fair dismissal legislation that exempts small business will create 50,000 jobs, the Federal Court in the Hamzy case referred to evidence which showed that employment in Australia in the 1990s had been at its strongest when federal unfair dismissal laws had been at their most protective. So the promise of job creation looks quite thin. But implicit in the Centre for Independent Studies report giving advice to the government is the notion of a trade-off of legal rights for a class of people in return for increased job creation. The government’s case for this legislation rests on this principle of public interest trade-off. They say the public good would be best served by the creation of some 53,000 jobs set against the public harm of removing rights from a little over 2,600 federal small business unfair dismissal applications. With no evidence to support this, the argument that employment will be created by the removal of those rights and the removal of rights from particular employees based on business size is just not acceptable. No legislation should rest on bad principle. A fair go is what should be given at all times. The argument, then, is flawed. But we need to look more closely at this magical 50,000 or 53,000 jobs.

The minister has no real basis on which to claim the accuracy of his rubbery figures, it seems. Whilst speaking on the 7.30 Report program of 20 May 2002, he was asked how he had arrived at this figure of 50,000 jobs. He replied:

It’s a pretty rough and ready rule based on the fact that if just one small business in 20 employed one extra person as a result of the lifting of the unfair dismissal monkey from the back of small business, that would produce well over 50,000 jobs.
It sounds like monkey talk to me, Minister. On *Meet the Press* on 9 June this year, he was asked:

What’s your evidence for that? Do you have evidence or is it just wishful thinking?

The minister replied:

Inevitably, it’s an estimate, and these estimates are inevitably imprecise, but there are something like 1.5 million small businesses in Australia and if 1 in 30 of those took on an extra person because of changes to the law, there are your 50,000 new jobs.

It sounds very imprecise to me. In the parliament on 17 June 2002, the Minister for Small Business and Tourism repeated the claim about 50,000 jobs but qualified it by saying that there would be ‘up to 50,000 jobs’ created in those ‘1.2 million small businesses’. The reality for most Australians is that, without some reliable figures, some relevant mathematics and some assurances about decent outcomes, it all looks pretty unnecessary and unfair. This dodgy approach by the government shows they have no credibility on this issue. The minister knows that the government’s own memorandum to the small business and other measures bill of 2001 pointed out that only 180,000 small businesses operate in the federal industrial system, not 1.5 million—not even 1 million.

Moreover, the minister knows that, in the period 2000-01, only 8,109 unfair dismissal applications were made to the Australian Industrial Relations Commission. That is a long way from 50,000. He also knows that there is no evidence that loss of jobs in small business or failure to employ by small business is in any way linked to fair or unfair dismissal legislation. The Federal Court, in the case already mentioned, reached the conclusion that:

In the absence of any evidence about the matter, it seems to us the suggestion of a relationship between unfair dismissal laws and employment inhibition is unproven.

So why does the government still persist with this legislative ping-pong? One reason could be that it wants to see more workers covered by federal awards, and that fits with my understanding of this government’s intention. At present the federal legislation, when compared with state legislation, is by far the most difficult for an employee who has experienced unfair dismissal. Access and chances of success are certainly limited under federal legislation. So perhaps the real aim is to make it tougher still for workers to have their basic rights to fair and decent treatment in the workplace enforced or upheld. But we must remember that this is a tough government, particularly when it comes to those who need the protection of government the most.

If our laws are not tough enough, according to the minister, then how do they stack up against the rest of the world? This question was recently answered by the OECD in a report on the Australian labour market. It noted that Australia has consistently come out as one of the countries with the least stringent employment protection legislation of all OECD countries. An initial ranking in the *OECD Jobs Study* placed Australia in the bottom quintile in terms of employment protection legislation strictness. Australia was ranked particularly low on procedural requirements in cases of individual dismissal and on the criteria given for unfair dismissal as well. The OECD also noted that there are relatively low legal requirements in our country for notice periods and no requirements for tenure related severance pay in the case of individual dismissal. The 1994 *Jobs Study* reported that the ‘easy to dismiss’ countries of the 21 assessed were, in order, the United States of America, New Zealand, Canada and Australia. When they updated this information in 2001, we were still in the bottom five. This means that, compared to the other major countries in the world, it is relatively easy to dismiss people in Australia, whatever the size of the business.

What other reasons could there be to justify the minister’s obsession with this legislation? Why is he such a strong advocate for the need for this legislation? Why does he add it to every media release he sends out when visiting electorates around the country, calling on Labor members of parliament to support this legislation if they care about small business and jobs? It is not really very difficult to explain the reason for this obsession, even though I am a relatively new member of parliament. Before this year is
even out, the hidden political agendas that permeate this government’s program are sadly predictable. What legislation does the government hold onto for possible double dissolution triggers? Workplace relations and immigration stick out like the proverbial sore thumb. Why would that be? This government is not just trigger happy; this government also thinks that unionism and the problem of asylum seekers are the bogeymen for the electorate, so its very own bogeymen play the fear cards as often as they can—fear cards that divide communities and thrive on intolerance, envy, hatred and disunity. This approach has to stop, particularly in light of the recent tragic events that we have had to endure. We need legislation that builds on our strengths, not legislation such as this that compromises our Australian principles of fairness and decency.

I oppose this legislation but, in responding to this debate, I want to put forward the reasons for that opposition. The key ALP reasons for opposition to this bill, and to other legislation in this ongoing saga, have been put forward many times, but I am happy to state them again. After all, this type of legislation has been before the House seven times. We believe that the basic rights of all employees ought to be the same, irrespective of the size of their employer. There is no excuse for any government in this country to put forward legislation based on such a dreadful and unjust ethos that takes rights away from one group. Any legislation to assist small business should be based on positive strategies such as initiatives that support the availability of well-trained employees, advice and training in human resource management for those in small business, taxation compliance and start-up funding assistance, support for small business networks and the development of regional strategies that reflect local small business needs in their own local market. These are the measures that a government would introduce if it had a genuine commitment to improving outcomes for small business. Sadly, this legislation has no such positive measures.

We on this side of the House know that there is no evidence to support claims that the federal unfair dismissal laws have acted as a significant brake on employment growth. We understand that statutory exclusions from the unfair dismissal regime are already quite significant and that the case for further exemptions specifically directed to small business fails to take these into account. I remind the House that changes to the Australian Industrial Relations Commission procedures, including those mandated during the life of the last parliament by way of the Workplace Relations Amendment (Termination of Employment) Act 2001, more than adequately addressed any legitimate small business concerns. Those of us who are genuinely involved with small business in our electorates know that federal unfair dismissal laws are well down the list of small business concerns. Small businesses are more concerned with correctly filling out their BAS forms than with dismissal laws and their requirements.

The proposed exclusions in this current legislation are out of step with relevant overseas practice and are potentially also at odds with Australia’s international treaty obligations. Very few countries exempt small businesses from unfair dismissal laws, except tough and punitive ones like the one that put this legislation forward. We believe that sufficient legislation has already been enacted and that this particular piece of legislation is uncalled for. But, for me, the most important reason for opposing this bill is that it does nothing to actually create jobs in small businesses or to provide the climate for jobs growth that is so much needed in regions around Australia. As the member for Newcastle, creating employment in small and big business is the No. 1 item on my political agenda.

I would like to share with the House the contributions to the job creation debate by the Minister for Employment and Workplace Relations on his recent visits to Newcastle. On the first occasion that Minister Abbott visited Newcastle this year, he told the region we should ‘keep talking it up’ and eventually our unemployment situation would be solved. We wish it were that easy. On his visit to Newcastle the week before last, he tried to tell us that, if small business had the power to unfairly dismiss workers,
our economy and employment would improve. ‘Rubbish!’ was the response of Newcastle. This government has never proven any link between what it says about small business not hiring people and unfair dismissal laws. In my electorate, where small business has excellent representation through the Newcastle and Hunter Business Chamber, the Small Business Association and the Hunter Business Women’s Network, just to name a few, I have not received a single representation from small business in Newcastle to suggest that this is a major problem for them.

The best way to help small business in Newcastle and in the Hunter region is to get people into work so that they have more disposable income to spend in small businesses. In my city, almost 20,000 people are unemployed and 40,000 people have health care cards. These people do not have extra money to spend in small or large businesses. After seven years of the Howard government, the mantra of ‘Blame the union’ does not wash with us anymore. To assist small business in Newcastle, instead of unfair dismissal legislation the government should invest in job creation programs. We have plenty of those on offer: projects such as the Protech Steel venture, the Energy Australia redevelopment of the stadium and the multipurpose terminal for our port. The government perhaps should fund regional infrastructure projects so that our region can better compete. It should fund special education and training programs to make sure our youth are skilled for the jobs of the future. By creating jobs and getting more people into work, small business in Newcastle will certainly be the winner. In opposing this legislation, I encourage the government to genuinely take on the task of assisting small business by creating job growth in regions with continuing high unemployment, where small business is suffering the most.

I welcome and support the amendments put forward by the shadow minister for workplace relations. These amendments include positive strategies to really do something to help small business in the area of employment negotiations. The amendments include the removal of legal costs in the initial conciliation phase, so that negotiated resolution is encouraged. The amendments also give more encouragement to the Industrial Relations Commission to reject claims for damages rather than claims that seek the continuation of employment. They would enable the registration of paid agents operating under a code of conduct and would reduce the vested interest aspect of litigation. The amendments propose sensible time frames and the use of information systems and technologies that reduce the travel burden on parties involved in hearings. The opposition’s amendments also target better information and education about dismissal management. Of course, the best way to avoid dismissal management is by putting in place successful performance improvement programs and conflict resolution programs. But the legislation before us has no suggestions of this kind or support for initiatives such as these. The arguments put forward by the government for this unnecessary and unjustified legislation are flawed and quite spurious. Again, it is a time for governments that lead, not for governments that shelter in the politics of disunity and inequality. I oppose the Workplace Relations Amendment (Fair Dismissal) Bill 2002 [No. 2].

Mr RANDALL (Canning) (6.13 p.m.)—It is my very great pleasure to speak on the Workplace Relations Amendment (Fair Dismissal) Bill 2002 [No. 2]. This is going to be the beacon that stands out in the electorate demonstrating why the Labor Party are not connected to business and to the people who work in business. We have just seen the Labor Party go through the biggest mixer in their history—the first time in the history of this parliament that a Labor leader has lost the seat of Cunningham. The opposition leader, Mr Crean, came out and said, ‘We have got to start connecting with the public. We have got to start listening to what the people want. We have got to start letting them tell us what they need rather than having us tell them.’ And what do they do? They stand up in this place and they say, after voting against this 14 times, ‘No, we are not going to support this.’

This is the biggest no-brainer that the Labor Party have come up with in the history of
their opposition to things in this country—other than their opposition to the GST, and we know what happened with the GST. The Labor Party opposed the GST for three elections. Wasn’t it magnificent? Keating opposed it, and Beazley opposed it twice. It took the Labor Party three times to get it through their thick skulls that they were on a loser. They are on a loser again, because unfair dismissal laws in this country are fair for the people the Labor Party purport to represent, because they will give them jobs. The Labor Party go on with all this social, class warfare stuff—’We can’t allow them to be exposed to this and that’. This has nothing to do with fairness; it has everything to do with the fact that the Labor Party are wedded at the hip and tied by the ankle to the union movement. As you would know, Mr Deputy Speaker Adams, they are tied hand and glove to the union movement, so they cannot move on issues like this.

The quote is: ‘The risk of being poor is greater for those out of work’. Let us understand this: if you do not have a job in this country, you have a greater chance of being poor. What is the alternative? Work for the Dole is a good program, but it is certainly not as good as having a job. Welfare payments? No, that is not good; that is not having a job. The greatest thing you can do for a person in this country is give them a job. The Labor Party complain and say, ‘There’s a chance of people being dismissed from their work under these unfair dismissal laws.’ To be dismissed, you have to have a job first. How do you get knocked out of a job if you do not have one? This is a no-brainer on the part of the Labor Party. They have lost the plot. They have lost contact with the electorate and they have lost contact with small business.

The Labor Party have never been supporters of small business in this country. In fact, they see the small business community of this country as their enemy. Why? Because they cannot control it. They cannot control small business because they cannot mandate people into a union. Most of the members opposite in this House have either been members of unions or come from union backgrounds. We are told that they are all members of unions in any case, because you cannot be a member of the Labor Party unless you join a union. Talk about fifty-fifty! Fifty-fifty means five bob each way. The Labor Party cannot have it in this case because they are all members of unions. As a result, they have blinkered views in relation to these matters.

Because it is not the constituency of the Labor Party, the Labor Party have always burnt small business. You can see that with Mr Hawke’s accord. The accord had nothing to do with creating a greater number of jobs for workers; the accord was about how to control the workers in conjunction with the unions—how to actually marshal the workers into the union’s jurisdictions. That was what happened under the marvellous accord. When you look at the results of the accord, you see that we had an unemployment rate of over 11 per cent, and youth unemployment went through the roof—and there were all the social and economic spin-offs from that in this country. It was a tragedy, but the Labor Party keep mouthing these words about jobs for young people, jobs for people in business and job creation. We know that the only jobs they created were the $60,000 type jobs that Mr Crean created under his great Working Nation policy, which did nothing—‘Bill Hunter, job ready, here we are.’ None of it was productive, there was not much of a training element to it at all, and as a result unemployment in this country blew out to the levels we know about.

We have had all these hypocritical platitudes from the Labor Party in terms of looking after the workers, but we know in this country—and I have said it here many times—that the Labor Party are not interested in looking after the workers; they are interested in looking after the elites in the union movement. And how do they do that? They do that by making sure they get a heap of union dues. And how do they get a heap of union dues? They make sure that they all join the union. Unfortunately for the Labor Party, many of the people working for these small businesses with fewer than 20 people are casual employees, and because they are casuals many of them do not belong to a union. Many of them are schoolkids who are in
part-time jobs et cetera and do not want to be part of a union. They work at the deli down the corner, help out at the garden centre down the road or work at the bread shop on a Saturday morning. They do not want to be a member of a union. So, of course, they are not people the Labor Party and their mates in the union movement really want to foster—because they are not part of their controlled group.

But, in comparison, let us have a look at one of the things that the government has done for jobs. In the building industry in Western Australia, for example, we see much of the building being done by subcontractors, and yet—talking about the way generic Labor treat the small business man, or the subcontractor, in this case—Labor were not opposed to the fact that these subcontractors were going to be locked into a bad tax regime, the 80-20 rule. Let us look even further at small business operators in Western Australia who employ fewer than 20 people. Mr Kobelke, the state Labor minister, recently did a little deal—quite publicly, believe it or not—with the big end of town. Building companies like BGC, J-Corp and Dale Alcock, the largest builders in Perth, have been given a guarantee or a surety that they will not face building indemnity problems. But what about the small subcontractors? There is no such indemnity from the state government. You might ask what this has to do with unfair dismissal laws. What it has to do with unfair dismissal laws is this: the small contractors who employ this handful of people are not getting the same treatment from a Labor government that is very wedded to the union movement in Western Australia.

We are saying that under federal law we would like to see a template for legislation which would provide fair dismissal. What is the alternative? We now have six Labor states controlling their labour laws. Let us have a look at what was brought in recently in Western Australia under the new Labor regime there. Maybe this is what the federal Labor Party would have liked to have seen happen if they had won the last election. Where there used to be a 28-day period to lodge a claim for being unfairly dismissed, they now have no sunset clause. No-one has actually said what the sunset period is on an unfair dismissal claim in the Western Australian state Labor jurisdiction. It is certainly not 28 days like it used to be. Is it the statute of limitations—six or seven years? Does that mean that six years later you can come along and say, ‘I recall that when I was employed at the kebab shop around the corner they were quite unfair to me and, as a result, I’m going to lodge a claim.’ The bloke might have onsold his business and moved on, but he is still subject to a claim from somebody who has decided he is fair game for unfair dismissal prosecution.

The member for Newcastle said nobody knocks on her door about unfair dismissal. I have people knocking all the time and saying, ‘I would employ more people, especially young kids, if I didn’t have to put up with being worried that, if I employ them and they do something wrong at my place, I can’t do anything about them without it costing me a poultice.’ There was even a case—as I mentioned when I last spoke on the bill—where somebody who had not even started the job put in a claim. He had been given verbal notice by the bloke who ran the fruit and veg part of a small supermarket. The bloke said, ‘Yes, you can start Monday,’ but he did not start on Monday. He turned up on Monday and said he was not going to start and then he lodged an unfair dismissal claim. Of course, it was thrown out of court, but the owner of the business still had to go in and contest the claim because it had been lodged.

What do these sorts of claims cost? With legal fees, time off work and all the compliance that goes with them, they cost a minimum of $3,000 to contest. As they go on, many of these claims cost $8,000 or $10,000. The claim by many is, ‘I put it in because they said I would at least get something out of it; they said that there was a couple of grand in it for me.’ It is disgraceful that the Labor Party continue to oppose a set of laws that would tidy up this rort which stops people being employed in the small businesses of this country.

There are plenty of checks and balances in this bill. We have already said that it applies only to businesses with under 20 employees.
That is because of the definition of small business. I heard someone from the Labor Party saying, ‘I know a girl who was pregnant who was told that, because she was pregnant, she was going to lose her job.’ That is just not true. It is not true at all. This legislation does not take away the elements of the law that relate to unlawful termination. Under the unlawful termination laws of this country, you cannot dismiss somebody for things like that, but you can dismiss somebody who has been stealing from you, not turning up or doing things that would be detrimental to the reputation of your business. You are not going to dismiss somebody because they have a disability or a sickness. You are certainly not going to dismiss apprentices.

The Labor Party have even said, ‘Under this legislation, apprentices and trainees will lose their positions.’ That is absolutely not true. Enshrined in this legislation is the fact that apprentices and trainees will not be dismissed. In fact, they have very great protection. We are the party that wants to increase the number of apprenticeships and traineeships in this country. If you recall the speech I made the other day, I said that, under the Howard government, apprenticeship positions in this country have gone from 105,000 a year to 334,000. That is more than a doubling of the number of apprenticeships in this country. Compare that to what the Labor Party in government were doing: running down the skilled workforce of this country.

One of the reasons we have a low unemployment rate in this country is that we have been able to get through a lot of workplace reforms. Throughout the world, people have acknowledged that the Australian work force has become far more productive. That has a lot to do with work force flexibility—to the extent that you can make arrangements through workplace bargaining rather than through collective bargaining, which is what the unions are endeavouring to take us back to now. So, for example, owners of the seaside restaurants at Cottesloe have flexibility if they cannot pay award rates of double time and triple time just because it is a Sunday. You would have heard the one about the old wharfies’ picnic where the wharfie begins to tell his grand-daughter a bedtime story, saying, ‘Once upon a time-and-a-half.’ That is almost endemic in the way they think.

Flexibility gives young people the opportunity to get a job. You can make arrangements with your employer, creating a flexible work force which will suit both the employee and employer. Some people do not want full-time work. As I said, some people are students and some people are parents who want to work part time. People wish to make their own arrangements. Flexibility gives rise to greater productivity in the work force.

So that people do not have to go off and employ their relatives and friends in their businesses because they are too frightened to employ somebody from the work force, I suggest that the Labor Party get their heads out of the ideological trough, get up, get some air and see what the people of Australia really think about providing the opportunity of jobs to young people. I say this in light of the fact that those around this country who are taking their TEE are going to be finished shortly. A lot of young people will be wanting to get part-time work in small businesses—in local hardware stores or on lawn-mowing rounds et cetera. They will want to actually go and get these jobs and make sure that they can have some work before and after Christmas, during their holidays, and maybe as flow-on jobs after leaving school. As a result of Labor opposing these laws, we are going to see those young kids denied those opportunities.

The member for Newcastle was trying to decry the sort of research that has been done, but the research has been well done over years and years, and information from it shows that in my electorate, for example, one in five small businesses, given the opportunity of having these laws taken away, would employ another person. If they did not have the Damocles sword of unfair dismissal hanging over their heads, they would each employ one more person. In Canning where there is high youth unemployment and over
3,000 businesses, one in five equates to something like an extra 600 jobs. I want to see the Labor Party get its act together, get behind the government, especially in the run-up to Christmas, and get ideology and union control off its back, so that ultimately young people—in Australia generally and in my electorate of Canning particularly—will have the opportunity to get a job in the run-up to Christmas and after.

Ms GEORGE (Throsby) (8.00 p.m.)—I am participating in the debate on the Workplace Relations Amendment (Fair Dismissal) Bill 2002 [No. 2] for a second occasion. I am somewhat surprised that the government continues to bring into this chamber bills that are fundamentally in disagreement with very basic notions of fair play and justice. Labor has already outlined its inability to support the government’s so-called ‘fair dismissal bill’ and does so on the grounds of important and fundamental principles.

I want to refer to three of those principles. The first is the general principle that it is a fundamental right of all Australian workers not to be dismissed unfairly from employment without recourse or remedy. The second principle that guides our position in this debate is the belief in the notion of a fair go—namely, in balancing the needs of employers, we must also balance fairness and justice for those who are employed. The third basic principle that we uphold in Australia is that all Australian citizens are equal before the law—put simply, that our laws, in whatever form they appear, should be applied equally to all, without fear or favour.

When you look at the contents of what the government is proposing, the outcomes offend against those basic tenets and principles. Essentially, the government is trying to deprive a very large group of employees in small workplaces of a statutory right to seek remedy against unfair dismissal. In our estimation, if the government’s agenda were to see the light of day, an estimated 700,000 employees covered by federal awards would be deprived of this very fundamental right. The government’s bill would also see an outcome where we would potentially create two classes of citizens in the one workplace with different rights of recourse against unfair dismissal. For example, in a small manufacturing plant in my electorate, clerical workers in the office might be covered by a state award and continue to have redress and recourse through the state system, whereas the tradespeople employed under a federal award in a small enterprise would have no recourse. So within the same enterprise you would create two classes of citizens with different rights under Australian law. The third outcome would be very much like a lottery, depending on whether you happened to work in an enterprise that met the magic number. If you were employed in a small workplace of 21 people, you would retain your rights to redress, but if the number of employees happened to fall under the magic number of 20 and you were one of 19 employees, you would have no rights at all. It is very clear that the outcomes proposed in the government’s bill would fundamentally run up against very basic principles the Australian community supports—that is, that all our citizens should be equal before the law, that everyone—employers and employees—should be given a fair go and that if you are unfairly dismissed there ought to be some recourse or remedy.

As I indicated in speaking on this bill when it was first introduced into this chamber, it reeks of Orwellian doublespeak. It is called a fair dismissal bill but there is nothing fair about what is proposed. What is fair about discriminating against a class of employees because they just happen to work in a small workplace? What is fair about providing one employee with a different set of rights from another? In the example I mentioned, this can include employees working at the same enterprise. What is fair about removing the safety net for employees, often those in the most vulnerable employment situation? What is fair about eroding job security at a time when we all know there is growing insecurity? And, fundamentally, what is fair about denying workers redress for capricious sacking? We have all been around long enough to know that, unfortunately, capricious sacking does at times occur. To cut to the quick, the government’s bill would mean that there would be no remedy
if you were unjustly sacked and you happened to work in a small enterprise. It is as simple and blunt as that.

In the course of the debate on the government’s proposals, along with a lot of people on this side of the chamber I have looked to find some answers to very legitimate arguments that have been raised by small business about costs and procedures. I have no doubt that, not just in this area but in many areas of government law, the impacts of conforming with legislative decisions can very often be much more onerous for small business. It is the case that in many small businesses there is nobody with particular expertise in industrial relations or human resource management. So on this side of the chamber we have taken on board what small business has said and we have looked at how we might build some proposals and policies that take into account the argument about costs and procedures.

I think it is fair to say that, in accordance with concerns that have been expressed, the member for Hotham introduced a new bill on 26 August which in a very practical and pragmatic way went to the issue of the possibility of lowering costs associated with unfair dismissal procedures. The bill also looked at means of simplifying procedures and reducing the uncertainty and confusion that sometimes genuinely exists and that sometimes is pretty much driven by the ideological agenda of a government that is not, in my judgment, interested in looking for pragmatic and practical outcomes but is really playing this debate out on political and ideological grounds. We looked for practical solutions to address real and identifiable problems. In my own area, I consulted with the Illawarra Business Chamber to seek their views about how we might streamline procedures and reduce costs, and I am very pleased to say that several of their constructive proposals have been incorporated into Labor’s response to this bill. I will deal with that a little bit later. Interestingly enough, too, there was a strong belief expressed by the business chamber and, I think, by other employer organisations that there was duplication of procedures and processes on a state by state basis. They have argued a solid case for harmonisation of unfair dismissal laws across state jurisdictions, but laws that are underpinned by a principled belief in the notion of a fair go.

The bill that was introduced by the member for Hotham not so long ago was driven by a genuine desire to fix a problem—that is, a problem that is perceived across a range of small businesses about costs and complexity. The minister’s failure to take on board the suggestions that have been proposed by the leader of the ALP and by the shadow Attorney-General in his moving of the amendment surely highlights the fact that the minister’s agenda is not driven by finding a solution to a problem but rather is driven by ideology and by assertions about the likely impact on employment growth if fundamental rights are withdrawn from workers. But again—and I think others have argued this quite substantially—the minister’s assertion, whether it be that 52,000 jobs will be created or 50,000, is an assertion. It is not based on fact; it is hypothetical and it is a supposition. I think there have been many arguments that have demolished the premise on which that assertion is made.

Most members on our side of the chamber are driven by wanting to find a situation that provides a fair balance for all—a fair go all round. It is particularly important where I live, because 91 per cent of businesses in the Illawarra employ fewer than 20 workers. In total, that is around 14,368 small businesses that play an incredibly vital role in our regional economy and are themselves a substantial motor of employment growth. It is one thing to bolster, protect and enhance the ongoing viability of those small businesses and do what we can to ensure they succeed and flourish, but no small business person that I have spoken to believes that all this should be done at the expense of taking away fundamental rights of workers in their workplaces. I think, in general, there is a belief in the Australian community in the notion of a fair go all round. The test is how to find that balance. I argue that Labor’s approach and the amendment that has been proposed by the shadow Attorney-General go to this issue of ensuring that genuine concerns are dealt with on a genuine basis.
I want to talk about some of those concerns and the constructive proposals that we have made, because they need to be addressed by government if the government is to convince small business that it is looking for solutions rather than relying on rhetoric and ideology in this debate. As I said earlier, we make the point that small business has said to us that it would like a situation where there is a reduction in cost and delays, and procedures are addressed. Labor have put forward a convincing response to that, and our proposals would keep those that we refer to as the ‘ambulance chaser’ lawyers out of the equation, and consultants and paid agents out of conciliation talks. We also believe there should be a far greater emphasis on conciliation, with the parties directly involved in the dispute trying to reach a genuine outcome under the auspices of the commission. We think that the emphasis should be placed on reinstatement rather than on financial claims because we think this will reduce the incentive, particularly by ambulance chaser lawyers, to run speculative actions. In the overwhelming majority of cases—I am not saying in all cases—the motive must be to seek reinstatement. The system should not be there for financial recompense at the expense of a genuine desire to be reinstated when one has been unfairly and unjustly dismissed. We have also said in terms of length of proceedings that we ought to move towards the provision of indicative time frames for the resolution of unfair dismissal proceedings. It was not long ago in this House that many on our side of the chamber posed questions to the minister about the inordinate time that it had taken to deal with the unfair dismissal claims on behalf of workers employed by Rio Tinto in the Hunter Valley. From memory, I think some of those proceedings took around four years to resolve. I think it is a great shame on this government that there are proceedings involving workers at the Blair Athol coalmine that are still unresolved some four years down the track. Our proposals come up with practical solutions to the issue of cost reductions and delays that many small businesses have referred to in submissions.

Secondly—and this is an area where I am pleased that some of the input I had from the local business chamber has seen its way into Labor’s response—there is a need for the commission to take into account time and distance constraints for businesses, particularly small businesses, which might be involved in unfair dismissal proceedings. I think the suggestion we have made about a greater use of telephone and videoconferencing procedures is a positive step in the right direction and one that should be seriously considered on the merits of the argument that has been put to you. Lastly, surveys have shown that many small businesses remain somewhat confused and uncertain about procedures and processes, particularly as state jurisdictions and their processes vary not just on a state by state basis but between state and federal jurisdictions. I think the government has exploited some of those genuine aspects of confusion because it suits its political agenda and response on this matter.

An information package for business and workers that would outline rights, processes and procedures is a very constructive thing to suggest. But, in reality, the principles of fairness in termination of employment can be fairly simply stated. If you tease out a lot of the hyperbole and rhetoric that we hear from the minister, the case can be stated quite simply, both to businesses and to employees. In the case of an employee who is performing at an unsatisfactory standard, the employee should be given a reasonable opportunity to improve their performance. In the case of an employee who the employer believes has engaged in misconduct, the employee should be given a reasonable opportunity of responding to any allegations against him or her. And in the case of a dismissal arising from the operational requirements of the business, the employer should consult with the employee regarding the proposed changes and provide the opportunity to explore any alternatives to dismissal. It is pretty basic and pretty simple.

It is not the case, as this government and the minister like to suggest, that ‘fair dismissal’ means the employer is always wrong and is forced to pay ‘go away’ money when an employee complains that they were sacked unfairly. Nor should it be the case, as
appears to be the government’s wish, that ‘fair dismissal’ means an employee is instantly expendable and should be grateful simply to have a job. That is the kind of hidden message that is behind many of the statements that we hear from the minister and from government members. We believe the government could and should be playing a constructive role in helping both employers and employees understand and implement very simple principles of fairness in relation to potential termination of employment.

The government keeps coming back to this chamber with legislation that is obviously driven by a political and ideological agenda. If it is not, one is yet to hear a reasoned argument against the amendments that have been proposed by the shadow Attorney-General and those principles that were enunciated in the private member’s bill brought to this House by the member for Hotham. Labor’s approach is both principled and pragmatic, and I think you can have both. You can have fundamental principles that underpin a legislative package which is both reasonable and pragmatic and which provides practical solutions to genuine issues of concern that have been raised by the small business community. Labor’s approach shows that fairness can be maintained and that we can adhere to fundamental principles and to the notion of a fair go all round, while at the same time improvements can be made to the system of dealing with unfair dismissal claims. Again, I want to state that a strong feeling of support was garnered when I had discussions with the business community about the need for harmonisation of unfair dismissal laws and regimes across state boundaries.

In conclusion, I think the government is again bringing to this House legislation motivated by ideology and by politics, based on some unstated and hypothetical assumptions about the nirvana that will come in terms of employment growth if rights were taken away from workers who, just by chance, work in a small enterprise. It offends against fundamental principles; it offends the notion of a fair go all round. It is for that reason that the opposition continues to argue against and to seek amendments to the legislation. *(Time expired)*

Mr HATTON (Blaxland) (8.20 p.m.)—I wish to endorse the sentiments and the arguments of the previous speaker for the opposition, the member for Throsby, in her speech on the bill before us tonight, the Workplace Relations Amendment (Fair Dismissal) Bill 2002 [No. 2]. I point out that the sense of balance, the sense of certainty and the entirely sensible approach to sorting through the issues with regard to the bill and the issues in the work force that she pointed to in her arguments throughout that speech—also the initiative the member for Throsby took in discussing with the business community in her electorate practical steps towards making the situation for people in small business even fairer than it has been in the past—have been grounded in her experience at the industrial level, not only in the early part of her career but of course in the latter part. It is a demonstration that people who are professionally involved in conflict resolution, people who are professionally involved in the Arbitration and Conciliation Commission, can bring to this House a deliberative sense that is also a constructive approach to solving issues between employers and employees. That is in contrast to the minister and the former minister, who do not bring a constructive approach to these matters but a destructive one; who do not bring a balanced, sensible, fair, reasonable and open attitude towards these matters but an ideologically driven one.

This bill has been before this House, in one slightly amended form or another, seven times. Doesn’t the minister finally get the message about this bill—not once rejected but twice rejected, as I expect it will be in this form? It has been more than three months since its first introduction in this parliament. After this bill has been passed in this place and goes back to the Senate, I do not expect the Senate to endorse it, because the Senate previously passed the bill but with a series of amendments. The government refused to take on any of those amendments because they did not suit the basic tenor of their approach.
The minister was for some time—almost formally, I suppose, because he was a junior minister—a trainee of, or an apprentice to, former Minister Reith. I do not think there has been much change from 1996 onwards, whoever the minister has been, in the government’s approach to these issues. It does no service to anyone in small business, whether employer or employee, to keep batting on in the way the government are, because there is no solution. This bill has been before this House seven times in one form or another—passed here, because the coalition is in government, but knocked over in the Senate. Those in the Senate are not completely silly. They have a series of reasons why they knocked the bill back previously, and these reasons are cogent. They essentially go to the question of whether or not the people who work for small businesses, medium businesses or large businesses—as long as they are Australians who have employment in Australia—should be given a fair go. They also think there should be a fair go for employers. They also have a basic understanding of the history behind all this and of the agenda. This government’s agenda is not one that is sane, rational, sensible, cogent and coherent; it is an agenda that is utterly politically and electorally driven.

We have had different thematic approaches from 1996 to 1998 and then from 1998 to 2001. Throughout that time the former minister displayed the thread of a certain approach to industrial relations issues. There was the drive towards what the member for Throsby indicated would be the anticipated nirvana of the government, as it was during the time that they were in opposition, of having the great second wave in industrial relations come to save Australia. If it were not for the unions, if it were not for those terrible senators who will not pass this stuff and if it were not for the fact that the government cannot get a clean sweep in IR, everything would be absolutely perfect in the industrial relations garden.

It beggars belief that, after seven goes at this, the government would not sit down and say, ‘We can run with this as a trigger for a double dissolution. We can expect to make it as difficult as possible in the Senate, but we will have that trigger there because we know we will not get the bill through.’ But you would think that, having met resistance for so long, they would say, ‘We should sit down and work out whether or not we are in fact being reasonable, sane, sensible and constructive in the measures we are attempting to put forward or whether there might not in fact be something fundamentally flawed at the base of what we are putting forward.’ You need a rational government to do that, and in this area they are irrational, insane and insensible.

I think two things are driving them. One is the fact that, for some small business people, there is this issue of being able to tell someone, ‘You are gone. You are out the door, and I do not want any argument from you.’ That is actually how some people want industrial relations to operate in the work force. But it is only a very small percentage of small business owners who would like to run their businesses that way. In the 19th century, I suppose a lot of businesses were run that way. When the Master and Servant Act was in full operation, you were either in or out. Where there were no protections provided by the British parliament or the colonial parliaments here, people did not have much recourse but to accept the conditions available to them or be put out the door, unless they were backed by the nascent unions in the second half of the 19th century or by other associations that developed into different forms of union groupings over time. Some of those succeeded in Britain and some succeeded here, but essentially it was the development of the unions and the leagues that led to them. Unless they had that kind of protection—and it was little enough in those days—they could only accept the provisions of the Master and Servant Act, which said, ‘You follow these instructions or you are out.’

Even in Great Britain—the place where the industrial revolution bit deepest and the place that gave rise to the reaction that Marx and Engels encompassed in the Communist Manifesto and the rest of the stuff they wrote that was based on how badly downtrodden the workers were when capitalism was untrammelled and not constrained by the na-
tional parliaments—I think they finally got the message that they might get a more productive work force if they were a bit fairer with people and if people were more evenly treated. We have seen in Britain, the United States and Australia over more than a century a battle between labour and capital. We have seen a battle that has taken place in the factories and on the streets. You have only to think of the enormous trauma that occurred in the United States in the 1930s, particularly in relation to the Ford company and the attitude that Henry Ford took. Workers were killed in the streets because they were protesting against what the Ford company determined to do, and there was an attempt to use government and police force to crush union protest at changes in work conditions. These changes were dramatic because the Great Depression had such immense depth and scope that people were potentially in the position of being put back into a situation similar to what they faced previously under the Master and Servant Act.

Capitalism has never liked people aggregating and trying to work towards getting some protection and improvement with regard to their working conditions. However, in the late 20th century and into the 21st century we expect that, even with a conservative government like this one—it is not a liberal government; it is a conservative one—the penny will drop and it will understand that, if you give people a better go, you might get more out of them in terms of productivity and profitability. The government should not approach things on the basis of ‘us and them’. This harsh, repressive and conservative ideological approach was counterweighted in the 19th century by Marxism. There are two opposing attitudes here: one takes the old 19th century conservative high Tory approach, and the other takes the harsh line of full communism. We can do without all of that; there is enough experience on the ground to indicate that that is not the way to go.

After seven goes at this bill and after changing it in a number of ways—I do not know how many times I have spoken on this bill; the member for Brisbane has spoken on it a number of times as have most people in the chamber during the 6½ years I have been here—you would expect some fundamental reassessment. This is the leitmotiv of this parliament. Having failed under the member for Flinders to get a one job lot first wave totally in place, the government had a second wave—as they had in Western Australia at the state level. The elements of the former minister’s bill have been broken up, and we have a job lot of different bills being put before the parliament again, having been rejected by the Senate. This will be only the first of the double dissolution triggers. More importantly, breaking the bills up creates the effect of a cascading, fragmented collision of legislation, which is meant to give the impression that the problems in the industrial area are so enormous and so great. The only problem with the government’s argument is that the economy is running pretty well. Every day they tell us that the economy is running pretty well and that people are being productive and working hard, yet at the same time they keep saying, ‘If only they’d let these bills through there would be a flood of tens of thousands of new jobs.’

Fundamentally, I cannot understand—I could not understand it the first time I spoke on this bill, or the second time, and I still cannot understand it this time—how they actually think they can create jobs at the small business level by sacking people instead of investing some time and effort into getting the best work out of people. Labor have never said that, if people are not doing their job properly, it is not possible for them to be sacked. It has always been the case, from start to finish, that if people are doing poorly or not working hard the employer can put forward the case. We have made changes to our industrial relations approach, as needed, over time. It was found that, if you wanted to look for practical, pragmatic, sensible solutions, the best thing you could do was to talk to the workers and the employers and try to get them to improve the legislation you were putting before the House. If you took that kind of approach and made the modifications that the member for Hotham and our shadow ministers have suggested, both this time and previously, you would get a more workable situation at the small business level.
I know for some employers that this is like a spur in the foot. It niggles away at them that they cannot just give people the flick and get rid of them at no cost whatsoever. For some employers, their experience in the past has been that they have had employees who they thought merited being given the flick, they have had a strong and substantial case against them and they have found that the process of going through a dismissal and the actions after that have been far too extended, far too costly and far too difficult. In particular, some small business people just give up and do not really try, which can then result in lower productivity because the employer cannot solve the situation at the workplace level.

In our amendments, we have recognised that the centralised mode of hearings has been very difficult for people in regional Australia. Our amendments went to the fact that there should be a much more flexible hearing process so that people in regional and rural Australia could solve the problems they have with employees who are considered to be not doing the right thing. The tribunal would go to them rather than them losing time, money and business by having to go to Sydney or Melbourne to sort things out.

Fundamentally, we know this: if you adopt a set of proposals and put them before the parliament, not to try to sort things out in the relations between workers and the people providing employment but just to drive an ideological agenda, you can only expect to get knocked over in the Senate. If a government minister were prepared to come to this table and say, ‘Let’s have a fair look at what is being proposed in the amendments from the Labor Party and others in the Senate, work out what we can and cannot accept in this and determine a median way,’ you could get a bill through that would sort out some of the underlying key problems that Labor recognises are still large in the minds of people, and you could do it on a fair basis. Unless the government are willing to do that, I do not think they are going to get these bills through. We might have to return to the fact that, time after time and year after year, with a different name and a different framework, these parts of the original whole will be thrown back into the place.

It is not good enough to make the assertion that there are tens of thousands of jobs at stake in this bill. That has been stated in this place, and the government has wasted a lot of time before the Federal Court attempting to run that agenda. The Federal Court came back in the Hamzy case and said that the government was being unreasonable, that this was not the approach to take and that it was unfounded. These are assertions and allegations; they have not been proved. There has been no research at all into this area. Whether it was Professor Wooden, whom they relied upon in the Hamzy case, or whether it was Kayoko Tsumori from the Centre for Independent Studies asserting that there would be an employment gain, the background brief this time around points out, as it did last time, that actually employment has been fairly strong. And it is fairly strong now.

I think it was 1994 when the first set of unfair dismissal laws was brought into this place by Laurie Brereton, the member for Kingsford-Smith, when he was minister. Most people in the coalition and most people within the business community would think that that was the time when these laws were most rigid. The legislation had just been introduced and there was not the flexibility the minister later introduced when, having heard what the business community and the workers were saying, modifications were made. Even at the point in time when the laws were introduced, the employment argument did not work. At the time the laws were strongest, employment growth was also very strong. That was pointed out by the Federal Court. If you want to put an assertion forward, let us have some evidence for it. Let us have an evidence based approach instead of an approach that is irrational, not thought out, ideologically driven and simply assertive.

The minister, from here until the end of this parliament, can continue with this bill and the other legion of bills that he has. It may suit his own purposes and his party’s purposes to run in this way, but it will not help one small business employer in this
country. They have been done a disservice ever since 1996, when the tag on this was ‘unfair dismissal’, as it was in 1994 when the bill was originally introduced and when the notions were originally introduced. It does not do the minister any good to outdo the former member for Flinders in this area and enter the deep Orwellian world of doublespeak, newspeak and all of those other fashions that I have argued about previously in relation to this bill. You cannot just turn something on its head and make it its opposite. What is unfair cannot be made fair because the minister wants to put an argument, twist words or twist associations.

If the government were fair, sane, sensible, reasonable, constructive and rational in regard to this, these measures would pass, if amended appropriately. If the government were willing to take on the balanced and sensible amendments that Labor has put up, we would get an outcome that is fair and equal not only for small business but for the people they employ. It is very simple for the minister to do it. All he has to do is change his tack, stop being political about it, stop being ideological about it, be rational and sane, and seek a solution within the workplace that is fair, reasonable, open, constructive and cogent for everyone involved. (Time expired)

Mr BEVIS (Brisbane) (8.40 p.m.)—I want to cut straight to the chase in respect of the Workplace Relations Amendment (Fair Dismissal) Bill 2002 [No. 2] because it has been around this parliament too many times. The bill is fundamentally flawed. It is inherently unjust, and that is why this parliament has, on seven occasions, rejected it in the last six years. We should have no misunderstandings about this: when I say the parliament, I do not mean simply the Labor Party. The Labor Party has certainly opposed this bill on every occasion, as it should be opposed. Most of the parties in the Senate have opposed it as well, which is why the government have not been able to get passage of the bill. The simple fact is that—as much as the government like to package the debate on this bill in their usual union-bashing rhetoric—this bill has not enjoyed the support of the Senate at any point in the process since the government were first elected in 1996, whether it was embedded in broader legislation, such as the then minister Peter Reith’s first-wave laws, or whether it was separated as a bill in its own right. The reason for that is clear and straightforward: it is inherently unjust.

At the core of this bill is a proposal the government want to force upon workers in small business. It provides that they may be dismissed in circumstances which a court would find to be unfair but leaves them with no remedy, no rights and no redress. This bill seeks to empower employers in small businesses so that they have the right to, in an unfettered way, dismiss an employee in circumstances that a court would say are unfair, and yet it gives workers no rights whatsoever. That is what this bill seeks to do. It is little wonder that the parliament has rejected that principle on seven occasions, and it will continue to do so. The Australian people would regard us as derelict in our duties as members of parliament if we were to allow laws onto our statute books that enshrined the principle that you could be sacked—you could lose your livelihood and your capacity to earn income and put a roof over your and your family’s heads—in circumstances that were unfair and yet the law of the land would say you have no rights whatsoever. That is what this bill does. That is what the government have sought to do on seven occasions now. Amazing though that sounds, they are precisely the provisions that the bill seeks to impose.

Labor has put forward alternative proposals. If time permits, I will go to some of those first. I want to expose, yet again, the problems with this bill and why this bill is so despicable and deserves to be spurned by this parliament an eighth time. The bill before the parliament at the moment seeks to change not one of the leftover Labor laws but a Liberal Party law. The law dealing with unfair dismissals in the federal jurisdiction now is the law that Peter Reith, as minister, wanted. Indeed, this is how he described it when he succeeded in getting it through the parliament:

We have delivered a workable system for dealing with unfair dismissal on the basis of a fair go all round ...
No longer do we have any pretence of ‘a fair go all round’. The government does not want a fair go all round; the government wants the opportunity for workers to be dismissed unfairly and yet have no rights. That is hardly a qualification for ‘a fair go all round’, which is how Peter Reith, not usually known for his support of workers’ rights, described these very provisions on unfair dismissal when his bill went through the parliament in November 1996.

It is important to also acknowledge that the bill Peter Reith put through—the law as it is now—was not a modification of Labor’s first law. The previous speaker, the member for Blaxland, spoke about the introduction of these federal industrial relations laws in 1994, but the provisions for unfair dismissal were subsequently changed by the Labor government before the 1996 election. Version 1 of Labor’s unfair dismissal laws was effectively watered down—that is, after some operation, faults were identified by the government, and people were taking cases that were not, in the view of the government, proper to be taken. The law was changed before the 1996 election to further reduce the opportunity for people to be protected by those unfair dismissal laws—that is, the field was tilted a little more in favour of the employer to fix up some of the inequities in the system.

We then had the third rewrite of those laws, which were the Peter Reith laws that the government said were fair. The government no longer regard them as fair. If you were to listen and take at face value the comments of Liberal and National Party members in this debate, you would think that these were abominable laws that restricted the operation of business in every facet of working life on every day of the week. The laws we are talking about are Liberal laws. Every one of those criticisms they raise is about their Liberal law. These points are not lost on the commentators out there who have followed this debate over the last six years. When the government reintroduced the bill earlier this year, the Canberra Times said:

The Federal Government has launched yet another attempt to change the unfair-dismissal laws. Once again it is going about it the wrong way. It wishes to exempt small businesses—those employing under 20 people—from the provisions. The change offends normal principles of equality before the law. Why should one employee get a different set of rights from another, just because their employer happens to employ a higher number of other employees? The principle should be that employees are treated fairly, irrespective of the nature of their employer.

So said the editorial of the Canberra Times. It is a fine principle, which I am sure all the readership of the Canberra Times—or, in fact, the readership of any paper in Australia—would say is fair and proper. But it was not good enough for this Liberal government—not good enough for John Howard, the man who in opposition said that he would knife the Industrial Relations Commission. The changes to industrial relations law, of which this is a part, is a core promise—even if only to himself and even if he did not take the rest of the Australian public into his confidence—that he would see through. And we are seeing that here.

Whenever this issue comes up, government members and ministers tell us that we must pass this legislation for a couple of reasons but, first and foremost, because it will create jobs. They are very precise about this; they can tell us how many jobs it will create. On many occasions, the former minister, the current minister and indeed the Prime Minister have said the legislation will create 50,000 jobs. I will not quote all of them, but I am sure those who have followed this debate are familiar with the citations. However, it is interesting that, when you ask these people—ministers of the Crown—to explain how they arrive at this figure, they get a bit coy. I will give two examples. On the 7.30 Report on 20 May this year, Jeremy Thompson asked the Minister for Employment and Workplace Relations how he arrived at that figure. Mr Abbott said:

It’s a pretty rough and ready rule based on the fact that if just one small business in 20 employed one extra person as a result of the lifting of the unfair dismissal monkey from the back of small business, that would produce well over 50,000 jobs.

That is what the minister had to say on 20 May. A couple of weeks later, on 9 June, he was asked the same question at a Meet the Press interview. The minister—obviously
well across the subject, as we know he is in these matters—answered the question this way:

Inevitably, it’s an estimate, and these estimates are inevitably imprecise, but there are something like 1.5 million small businesses in Australia and if 1 in 30 of those took on an extra person because of changes to the law, there are your 50,000 new jobs.

A couple of weeks earlier, when he was on the ABC, it was one in 20. When he was on Meet the Press, it was one in 30. The government cannot even get the lie correct. They cannot even work out the story-line.

There was one of those extremely rare moments of truth from the mouth of former Minister Peter Reith when he had to answer a question on notice—so it had to be in black and white in the Hansard. One thing that we know is that ministers are usually fairly careful about misleading the parliament, because that can bring consequences for a minister.

**Dr Emerson**—He mustn’t have read it!

**Mr BEVIS**—I suspect someone wrote the answer for him. But in a rare moment of honesty—and, indeed, for Peter Reith it was exceedingly rare—Peter Reith actually had this to say in answer to the question about how you calculate these figures. In answer to question on notice No. 2940 in the last parliament, he said:

> It is not possible to specify the number of small businesses which would directly benefit from the Government’s proposed exemption from unfair dismissal laws ...

> ‘It is not possible’? Hang on! The story-line was that it was one in 20, and a few weeks later it was one in 30. But the former minister is on the record as saying it was not possible to calculate it.

I want to put on the record, yet again, where this figure of 50,000 comes from. The 50,000 figure, as has sometimes been admitted by ministers over the course of the last six years in this government, comes from an off-the-cuff comment made by Rob Bastian from the Council of Small Business Associations. I have no complaint with Rob Bastian; he is an advocate for his industry and he does a fine job. Good luck to him! But if you talk to him about these matters, as I did at some length, he will freely acknowledge that there is no research, there is no survey and there is no estimate. It was an off-the-cuff remark that does not even have so much as a postage stamp of data to back it up—zip, zilch, nil; absolutely no research whatsoever.

So it is little wonder that the current minister, Tony Abbott—who is a little wonder—would find himself unsure of whether it was one in 20 or one in 30. Frankly, for him to hold a thought for more than two weeks is a challenge. Clearly, he could not hold that central thought for more than two weeks. It is also the case that the former minister, Peter Reith, had the same problem, but at least when he had to answer a question on notice he came to the truth. So why do all of this, apart from the political spin of it? I will come to some of those reasons. It has always amazed me that the government actually succeeded in doing two things with this. The first is distracting small businesses’ attention from the things that are important to them by what this government has burdened them with; this is the red herring to distract them. The second, to some extent, is creating a self-fulfilling prophecy—that is, it has said this so often that it has actually convinced some people that there is a problem where none existed before.

If this was such a big issue then you would think that, in the middle of last year, when the current minister went to meet the Retailers Association of Queensland, they would have actually headlined that. But if you have a look at the Retailers Association of Queensland bulletin from the time that they were meeting with the minister, which was July 2001, you will see that they wrote:

> The RAQ will meet with Australia’s Minister for Workplace Relations and Small Business, Tony Abbott, on Monday (today) to brief him on issues that are of key importance in the lead-up to this year’s Federal election.

This is not what they cited as being high on their agenda. Bear in mind that this is a peak organisation, in the lead-up to a federal election, getting a precious half hour to tell the minister what they want fixed. If this was a big issue, you might think it would be high on the list. It was not. They said:
High on the agenda will be consideration of doubling the number of days businesses have to remit tax instalments to the ATO at the end of every quarter.

It was the burden of the tax system that was on their minds. That was what they wanted to talk about. That was in the circular to their own members. In the lead-up to the election campaign that was their priority.

There are lots of surveys that get bandied around when it comes to this issue. Some of them are classic cases of push polling. Some of them are more innocent than others, but some are very deliberately constructed push polling. Others contain the sorts of questions whereby, if you went into a workplace and asked workers, ‘What is important in this workplace?’ they might say safety or whatever. But if you went in and said, ‘Do you think you should get more money?’ they would all say yes. If you asked, ‘Do you think you should have a cleaner work environment?’ they would all say yes. It is a bit like that with the employers. If you actually look at the authentic surveys that have been done, you will see that they are small in number. Unfortunately, this government does not want to conduct serious broadscale surveys of the workplace.

The last major serious study of workplaces was released in about 1998, but it was actually a study that was done in 1995. It was AWIRS 95: the Australian Workplace Industrial Relations Survey 1995. It was the most comprehensive survey of Australian workplaces that had been done in the last 10 years. Interestingly, it was done about a year or two after Labor had introduced these unfair dismissals laws. So it was not the Peter Reith watered down version, as it were; these were Labor’s undiluted laws which the government—the Liberal Party—would have us believe were so hurtful to employment. In that survey small businesses were asked the reasons why they had not recruited employees. If you look at the responses from the small business community, you will find that the No. 1 reason given was that they did not need any more employees. That stands to reason. Sixty-six per cent said that. The percentage of respondents who said, ‘Not recruited due to insufficient work,’ was 23 per cent. Again, that was a totally sensible response that you would anticipate. The level of respondents who chose the option, ‘Not recruited due to a lack of demand for the product,’ was six per cent. Again, you would expect that.

There was in fact a response which identified unfair dismissals as the reason for not recruiting. The figure for respondents in that survey who cited that as a reason why they had not employed someone was 0.9 per cent—less than one per cent of respondents cited unfair dismissal laws. I can go through a series of other surveys to illustrate the same point. One that took my fancy was conducted in the minister’s own electorate earlier this year. That survey found that 79 per cent of small businesses said that lack of need or insufficient work were the reasons that they had not recruited staff. Again, this confirms the earlier research. Furthermore, 52 per cent actually nominated the GST as the government policy that caused them the most concern—and that survey was conducted in February this year. Asked if their reasons for not hiring were other than those listed, not one respondent in Tony Abbott’s own electorate cited unfair dismissals. That survey was done at the start of this year. Not one said that, but 52 per cent said the GST was the government law that most affected their business. So, if the government actually wanted to do something to assist small business, they could have a quick look at the operation of the GST and the impact it has had on small business.

I just want to cite one other survey—there are many that could be cited—done in Victoria in February 2001. Victoria is interesting because it basically has no state jurisdiction; so it is the Commonwealth system alone that you are looking at. Small business respondents were asked to indicate the degree to which 11 different factors affected their business. Top of the list was the GST. After that came government regulations and then labour costs. At the bottom of 11 factors came unfair dismissal laws. It was ranked 11th out of 11 issues; it was stone cold last. And that was in Victoria, where there is effectively no state system. That is important because it introduces the other critical factor
into this equation. We are talking here about a federal law that affects maybe 20 to 25 per cent of the work force. Even if this law were to be passed, three-quarters of the Australia work force in the small business community would be totally unaffected by it.

In all of my years involved in this debate and speaking at employer forums, industrial relations societies and worker forums, I have had some people tell me horror stories of unfair dismissals where the employer got a raw deal. On the facts presented, if indeed that was the whole truth and nothing but the truth, I would agree with them that they got a raw deal. You know what? Invariably, in every single one of those cases that was presented to me over the years, not one of them was under federal jurisdiction. They were all under state jurisdiction. There may be a case that someone can cite, but I can stand here, having spoken at more forums than anybody, including the minister, on this matter, and say that not one under federal jurisdiction has been raised with me in any forum that I have addressed on these matters.

If the government were genuine about these things, it would not be pursuing this legislation for the eighth time. It would be looking at Labor’s amendments and seeking to deal with some of the underlying problems. Business is increasingly sick of being used as a football by this government in terms of industrial relations. Labor has put forward alternatives that are fair and reasonable and that honour the principles of a fair go all round. In 1996 the government said that is what this law that it now seeks to amend would do. In 1996 the government said it wanted a fair go all round. Everything it has said and done about it since proves that that is not the case. (Time expired)

Dr Emerson (Rankin) (9.00 p.m.)—Dishonesty pervades the bill, and it pervades the government’s handling of the issue in public. I refer to comments from the Minister for Employment and Workplace Relations as to the origins of these infamous 50,000 new employees that would magically spring up as a result of the passage of this legislation through the parliament. He said:

Inevitably, it’s an estimate, and these estimates are inevitably imprecise, but there are something like 1.5 million small businesses in Australia and if 1 in 30 of those took on an extra person because of changes to the law, there are your 50,000 new jobs.

The fact is, of those 1.5 million small businesses, only 180,000 are in the federal system. So, if there are 180,000 in the federal system and you need 1.5 million small businesses to create 50,000 new jobs, we will just do a simple calculation. Even if the minister were right, the 180,000 in the federal system that would be affected by this legislation would create 6,000 jobs, not 50,000 jobs. That is as rough as the government’s own estimates, because there are no official estimates.

The member for Brisbane is absolutely right; I too have had conversations with Rob Bastian, the former head of the Council of Small Business Organisations of Australia, COSBOA. He told me that he was rung up one day and asked, ‘If this law were to come into force, what do you think the impact would be on job creation?’ He told me that he did a back-of-the-envelope calculation, but I do not think he got out an envelope or a pen. He made up a number. That is what he told me. It was a guess. I think he was being a little generous. Once that number was in the public domain, the government latched onto it and sought, somehow, to apply some science to it. There is absolutely no basis for the claim that the passage of this legislation would create 50,000 jobs. By the government’s own reckoning, by its own arithmetic, given that there are only 180,000 small businesses in the federal system, it could create, at a maximum, 6,000 jobs.

The dishonesty goes on, because the government has told small business employers that they would be able to dismiss employees whom they considered in any way trouble-
some, bothersome or inconvenient if this legislation went through. But that is not true—small business has been misled. The small business community of Australia has been misled by this government, because if this legislation somehow were to pass the Senate and there were to be an exemption from the unfair dismissal laws for small businesses with up to 20 employees, an employee who considered that he or she was hard done by would have recourse to another set of remedies. The common feature of each of these remedies is that it would be more costly and more time consuming.

When I talk to the small business community—and I have a small business background—what is the greatest fear? It is the time-consuming nature and the attendant cost of legal processes. That is what they are concerned about, because they have been told repeatedly by the government and by a number of business organisations that this is how they would be affected. I urged the small business community to ponder the sorts of responses and the legal avenues that would be available to employees—and are available right now—if they considered that they were harshly treated.

Employees could take out action under unlawful termination, under the antidiscrimination laws, under the common law or under state law, such as unfair contracts. They are just a few examples, and the reason that these various provisions are not widely invoked is because the unfair dismissal procedures are shorter and less costly from the point of view of the employee. But, if that remedy is removed, the employee would have no option other than to either cop it on the chin or pursue remedy through one of these four mechanisms, which would be more costly and more time consuming and, therefore, far more damaging to small business.

The small business community are being dishonestly told by this government that, if the unfair dismissal laws were changed in this way and they were exempted from them, everything would be sweetness and light and they would have no problem. The government should be responsible.

Mr Slipper—You are costing 50,000 jobs.

Dr Emerson—The Parliamentary Secretary to the Minister for Finance and Administration has continued, in his statements just now, with the ridiculous, baseless assertion that 50,000 jobs would be created with the passage of these laws. One thing that the government does reasonably well, when it gets on to a porky, is to tell it far and wide. If you are going to tell a porky, tell it often; that is what the government does. It distributes the porky list. The parliamentary secretary is now reading from the porky list and saying that 50,000 new jobs will be created if this legislation is passed. It is absolute rubbish and he knows it.

Labor, on the other hand, has proposed a series of remedies that deal with the procedural issues associated with the current legislation. The amendments that we are proposing involve, in the first instance, taking the emphasis away from cash payments for unfair dismissal from the employer. Labor’s first proposal says, ‘Let us go back to the original intent of the legislation, give the priority to reinstatement and, only if reinstatement is impractical because it is a small business and the two parties would not get on, then move on to the issue of cash compensation.’ The second of Labor’s amendments would require the commission to specifically consider the appropriateness of allowing paid representation in a conciliation conference. The point of this amendment is to keep costs low, to see whether the dispute can be conciliated, settled, at low cost to the employee and to the employer. This is a perfectly sensible proposal.

The third amendment proposed by Labor is for paid industrial agents to be registered with the commission. Labor does not want to see ambulance chasers profiting from the unfair dismissal laws. There are already plenty of examples of these paid agents, or ambulance chasers, seeking neither rein-
statement nor a speedy resolution of the pro-
cess, because the longer it goes the higher
the fee that they are able to collect on a con-
tingency basis, leaving not very much for the
employee who has been dismissed and leav-
ing the small business with large costs. Labor
says, ‘Let us get the ambulance chasers out.’

Finally, and importantly, Labor’s fourth
amendment would require the Minister for
Employment and Workplace Relations to
develop an honest information package, not
the dishonest information that is dissemi-
nated by this government in its public state-
ments to, and communications with, the
small business community.

If this government were serious about as-
sisting small business, it would come to the
negotiating table with Labor. I have talked to
the leaders of the various small business or-
ganisations in Australia, and they want a fair
outcome. They do not want the political
posturing of this government, which is using
this legislation for one purpose only, and that
is to obtain a double dissolution trigger. That
is why the government will not sit down and
talk with Labor about reaching some ac-
commodation on the procedures associated
with the current unfair dismissal laws. That
would defeat its one and only purpose, which
is to obtain a double dissolution trigger. We
were all in this House at the end of the last
session. It was about two o’clock in the
morning when the minister for workplace
relations said words to the effect that he had
had advice that the legislation needed to go
back to the Senate—that was in order to
continue the processes leading to this bill
becoming a double dissolution trigger. This
is the seventh time that essentially the same
legislation has been brought into this parlia-
ment. Does that not tell everyone what the
government’s true motive is? It does not
want to achieve a solution for small business.
It wants to maximise its own political ad-

vantage and obtain a double dissolution trig-
ger. Who will be the losers out of this? They
will be the small business community, who
genuinely need an accommodation between
the parties on this.

A couple of months ago, I participated in a
debate with the member for Moreton at a

southside business community breakfast. It
was quite instructive.

Mr Slipper—You lost?

Dr Emerson—It is marvellous to have
someone sitting in the government seat ask-
ing Dorothy Dix questions. The Parliamentary
Secretary to the Minister for Finance and
Administration just asked me whether I lost
that debate. I will tell you what happened,
Mr Deputy Speaker Lindsay, and through
you I will tell the parliament of Australia.
The debate went backwards and forwards,
and at the end of the debate all of the busi-
ness community who were represented at
that breakfast, who knew the member for
Moreton quite well—understandably, be-
cause the debate occurred in the seat of the
member for Moreton—were asked their
opinion on whether some sort of accommo-
dation should be reached between the parties
or whether the government should proceed
with its bill. They were asked immediately
upon the closing statement of the member for
Moreton, who said, ‘We will never compro-
mise on this; we will achieve a double dis-
solution trigger and then we will push this leg-
islation through.’

Mr Gavan O’Connor—And what did the
businesspeople say?

Dr Emerson—To a person, the busi-
nesspeople, when asked whether they were
in favour of the two parties getting together
and achieving an accommodation, all put up
their hands. There was only one person in the
room without his hand in the air: the member
for Moreton. He counted the numbers—as he
would because he is a good numbers man in
his own electorate and in neighbouring
electorates where there is a bit of branch
stacking going on—and he found that he was
the odd one out. He now reluctantly, because the num-
bers are against him, agree that the two par-
ties should sit down and reach an accommo-
dation on this matter.

Mr Gavan O’Connor—Where is he
now?
Dr EMERSON—He is not here, and he obviously has not had that conversation with the Minister for Employment and Workplace Relations. On behalf of his own constituents, his own business community, he should come into this place and indicate to the parliament what he indicated to all those business representatives gathered at that meeting—that is, that he now, under the weight of numbers, favours the two parties getting together and reaching an accommodation to streamline the unfair dismissal procedures for small business.

We have four well thought out concrete proposals, four proposals that the small business community—in Moreton and around Australia—considers worthy of discussion and of being a basis for achieving an agreement between the two parties. But I say to the small business community: do not hold your breath, because the government is not interested in a solution and it is not interested in the welfare of small business. I say that for two further reasons. Firstly, the government has said repeatedly that it will cut red tape for small business. In 1996 the Prime Minister said, ‘We will slash red tape for small business by 50 per cent.’ The government was going to reduce the size of the tax act. The streamlined new tax system for a new century was going to make everything easier for small business.

As the member for Brisbane has indicated, when small business are asked in surveys what has been the bane of their lives—what has been the No. 1 problem—their answer is the GST. The burden of the GST has fallen very heavily on the shoulders of the small business community of Australia. Labor took to the last election a proposal to radically simplify the GST for small business by application of what has come to be known as the ratio method. The department produced a report, Mr Deputy Speaker, and that report was praiseworthy. But, of course, the minister found a couple of clauses, raced around the press gallery and said, ‘I’m going to leak you a little copy of this; don’t tell anyone, will you?’ The then shadow Treasurer and Deputy Leader of the Opposition was rung by a range of journalists saying, ‘Ian Macfarlane is running around the place leaking us this document.’ We obtained the document and it was supportive of the ratio method.

The DEPUTY SPEAKER—The member for Rankin will return to the substance of the bill.

Dr EMERSON—Mr Deputy Speaker, I am now talking about the administrative burden of various government policies. The last one I want to deal with very briefly is superannuation choice. If the small business community thinks it has already been whacked with red tape by this government, it is right—but it ain’t seen nothing yet. When it gets its eyes on the superannuation choice legislation, it will see that it is a maze that small business will never be able to navigate. It is time that this government showed a bit of honesty to the small business community and the Australian people. It is time it started barracking for small business and sat down with Labor to achieve a sensible accommodation on this legislation.

Ms CORCORAN (Isaacs) (9.20 p.m.)—The bill before the House, the Workplace Relations Amendment (Fair Dismissal) Bill 2002 [No. 2], attempts to exempt from unfair dismissal provisions workers in a business with fewer than 20 employees. The government argues that this bill is necessary because the present unfair dismissal laws are discouraging small businesses from engaging staff. I am arguing that, as this bill stands, it should be opposed on two grounds: firstly, that it unfairly treats employees on the grounds of the size of their employer’s business; and, secondly, that there is no evidence that it will do what the government claims it will do.

It is interesting to note that this bill, in its various guises, has been around since 1997. At first the proposal was to deny access to
unfair dismissal procedures to employees who had less than 12 months continuous service with a small business which had fewer than 15 employees. The bill in its various forms has been rejected by the Senate six times since then—and again this bill appears before us. This time a small business has been defined as a business employing fewer than 20 employees. There is an irony in the name of the bill, that irony being that it is not a bill about the fair dismissal of employees; it is about being unfair to a group of employees simply because they are employed by a small business. The concept of a fair go all round is the underlying philosophy of unfair dismissal jurisdictions, both at the state level and at the Commonwealth level. This bill flies in the face of the notion of a fair go all round. The government is seeking to deprive of a fair go a significant number of Australian workers.

If this bill were passed, no worker in a small business would feel secure. It would be possible for a worker in a small business to be sacked for no good or valid reason on the whim of an unscrupulous boss, and they would not be able to take any legal action through the Australian Industrial Relations Commission against their employer over their unfair dismissal. Under the provisions of this bill, if an employee—perhaps a young person in their first job, new to the work force and inexperienced in workplace matters—found themselves unwell for an extended period, they could be sacked for taking leave, because they worked in a small business and their employer decided they could not afford to carry someone sick. This person could face the sack: what would this employee be able to do? With little knowledge of their rights and, if this bill were passed, nowhere to turn for justice, they would have to walk away and perhaps into their next job, which might be a similar position with another small employer. It would not be fair to employees in small businesses for them to be this vulnerable to losing their jobs.

As I said earlier, the government has stated that the aim of this bill is to encourage small businesses to employ more people. It is argued that the present laws covering unfair dismissal are a deterrent to small businesses taking on new employees. The facts do not support this proposition. In November 2001, the Australian Chamber of Commerce and Industry reported survey results for small businesses. These results showed that the frequency and complexity of changes to tax laws and rules following the introduction of the GST was of high concern to them. Following on from that were the levels of taxation, telecommunication costs and the complexity of government regulations. Only after these concerns was unfair dismissal mentioned.

In my own electorate, unfair dismissal laws are not on top of the list of the concerns of small businesses either. I have had a number of discussions with small businesses in a variety of forums. When asked what government could do to improve their lot, the small business people in Isaacs have talked about the frustration of not being able to win any government contracts, of difficulties in accessing research and development grants, of tariffs and exporting problems and of difficulties in accessing training. Small businesses in the Cranbourne area are frustrated about the fact that Cranbourne is outside the Melbourne call zone. These businesses face extra costs for telecommunications, despite the fact that Cranbourne is very much a part of suburbia these days. Unfair dismissal has never been raised with me as an issue by my local small businesses.

It should be noted that, if this bill ever becomes law, it will affect only 28 per cent of small businesses. It will cover only those small businesses that are incorporated and that are covered by a federal award. If this bill becomes law, it will not exempt an employer from liability for unlawful—as opposed to unfair—dismissal. Employers will still be liable for unlawful termination actions on the grounds of discrimination. Employees may still have access to expensive and complex common law actions. This bill will only achieve more uncertainty for the employer. It could also be argued that skilled and marketable workers will avoid small businesses because of the insecurity of the employment. This will be of no benefit to small businesses. If the government were
serious about creating employment in the small business field, their efforts would be far better spent addressing other concerns first.

Given that the evidence says that this bill will not effectively achieve the stated objectives, I have to ask why the government are so hell-bent on this bill. Why are they so determined to restrict one group of employees' access to proper and just recourse to action if they think they have been unfairly dismissed? By excluding these employees, the government are saying to them, 'You're expendable. You should just be grateful that you have a job,' and, 'We don't care about your job security.' The government are clearly showing disdain towards workers by proposing legislation to make it okay for employers to sack workers without any accountability or justification. This sends a clear message to all employees, particularly those employed in small businesses, about what this government think about them and their job security.

I am not suggesting that the majority of employers will take advantage of the legislation. Indeed, it is my experience that most employers are keen to do the right thing by their employees—just as most employees do the right thing in their jobs and by their employers. This is borne out by the figures. In 2000-01, there were 2,676 unfair dismissal applications against small businesses—that is, less than 1.5 per cent of small businesses in the federal system had an unfair dismissal claim made against them. That translates to 0.3 per cent of all small businesses. Unfair dismissal laws are in place to ensure that workers are not dismissed unfairly. This does not mean that workers cannot be dismissed; it means workers cannot be dismissed unfairly.

As I said earlier, experience and research say that unfair dismissal laws are not on top of the heap in terms of problems for small businesses. Nevertheless, there are some pressures on small businesses in relation to unfair dismissal laws. Labor have recognised this fact, and we introduced a bill last August to deal with this problem. The concerns small businesses have with unfair dismissals are about time lost, red tape and costs associated with unfair dismissal action. The actions proposed by Labor to address the real concerns of small business include: reducing the cost by limiting the role of lawyers in the early stages of unfair dismissal claims; requiring sacked workers to seek, as one of the remedies, reinstatement—this is designed to discourage unfair dismissal claims aimed simply at achieving a pay-off rather than reinstatement and to reinforce the policy of a focus on job security, although the exception is where reinstatement is not sensible, for instance, where an employee has been subjected to victimisation; creating a register of industrial agents to allow the commission to deregister agents who act unethically or who abuse unfair dismissal processes; and requiring the minister to establish an indicative time frame to promote the quick resolution of unfair dismissal proceedings by the commission.

A study by the accountants body CPA Australia, released in March this year, puts the lie to repeated government claims that unfair dismissal laws are the biggest barrier to employment growth among small businesses. According to the study, only five per cent of small businesses nominated unfair dismissals as the main impediment to hiring new staff and only three per cent of small businesses nominated changes to unfair dismissal laws as something that would encourage them to employ more staff. By contrast, 25 per cent of small businesses nominated the lack of skilled or experienced applicants as the main impediment to hiring new staff.

The survey also shows that the government must make a much greater effort to educate small businesses as to the effect of unfair dismissal laws. An important issue for small businesses is lack of knowledge about their rights and responsibilities when it comes to employing and dismissing employees. It is clear that many small business operators have unnecessary fears about unfair dismissal laws. The government appears determined to exploit those fears, rather than to address misconceptions about unfair dismissal. The survey showed that 27 per cent of small business operators were worried that they could not dismiss a person even if they were stealing from them, and 30 per cent of
small businesses thought that the employer always lost unfair dismissal cases—when the outcome of arbitrated cases is roughly even. Instead of just pursuing an exemption that will leave all small business employees without protection against unfair dismissal, the government needs to do more to educate small businesses about the real meaning of unfair dismissal laws. Most employers are reasonable and keen to do the right thing, if only they know what is required of them. It makes far more sense to offer this assistance than to continue the scare campaign that says all employees are potential problems and will be impossible to dismiss.

This bill is unfair to employees of small businesses. The bill, if passed, will not achieve the stated objectives of the government. So we are back to the question of why the government is pushing this bill. I can only conclude that it is being introduced again as a potential double dissolution trigger and as a means of expressing this government’s extreme ideological opposition to unions. This obsession with unions underpins everything it does with respect to the Workplace Relations Act.

This bill is unfair to many Australian workers. It will not achieve the government’s stated aim of smoothing the way for small businesses to employ more people and it may well have a detrimental effect on employment in the sector. There are no good reasons for supporting this bill and a number of good reasons for opposing it. This bill should be rejected once again.

Mr LEO McLEAY (Watson) (9.31 p.m.)—Tonight we are addressing the Workplace Relations Amendment (Fair Dismissal) Bill 2002 [No. 2], another example of the government’s use of Orwellian language to try to dress up something which is not pleasant by giving it a pleasant name. That trend was originally started by the former Minister for Workplace Relations and Small Business, Mr Reith. It seems to have become popular within the government, and so we get these rather bizarre Orwellian titles given to bills. We know that this bill has a lot of history. We know that we debated this bill earlier this year and that the bill was presented in various forms about five times before then. One thing we can say about this Orwellian bill is that the government has sure been persistent about it, and that makes you wonder why. You would think from the persistence involved that this is an essential piece of legislation, a bill that definitely needs to be passed. Otherwise, why would the government keep trotting along with it? Why would the government persist in the face of the consistent opposition to the bill in this House and the successful opposition to the bill in the Senate?

We know what it is about. It is about two things: one is to have a double dissolution trigger about the content of this bill; the other is for the government to try to shore up their declining support among small business in Australia. If the government were serious about helping small business, they would not be pursuing this particular narrow piece of legislation. They would be looking at a whole host of issues and not just focusing on the question of fair—or perhaps I should say unfair—dismissal. The legislation is not necessary. If you asked small business what they wanted, I do not think that they would give this particular piece of legislation a very high priority. Most small business people would give much higher priority to getting rid of GST red tape and giving assistance with the problems of falling consumer demand, not to mention relief from the drought, which is causing a lot of small businesses in the bush terrible trouble.

The reality is that this bill will only extend to incorporated businesses, and not many small businesses are incorporated. The corner shop is not an incorporated business. Small businesses that are incorporated make up only about 25 per cent of small businesses, and they are the ones at the top end of the definition of small business—the ones with the large turnovers and the large numbers of employees. Mom-and-Pop stores do not bother about getting themselves incorporated.

As I said when the last version of this bill was debated—and it is worth while repeating now—if you ask small business what their most important industrial issue is, those who think about the matter will tell you that they would prefer some harmonisation of federal
and state industrial laws. The problem for small business people—in particular, for small unincorporated business people, many of whom are not in an employer organisation, particularly those in regional and rural areas—is that, if someone brings an unfair dismissal case against them, they can end up in the wrong jurisdiction. They are not experts in industrial relations, their employees are not experts in industrial relations, and the vast majority of employees who work in small business are not unionised, so they do not know where they are going either. So you have people on both sides of the argument, the respondent and the applicant, who really do not know how the system works. They do not know whether they are under a federal award or a state award. They do not know which award they are employed under, and it is that matter—that people are unaware—that causes most of the problems for small business. Because of this confusion you can end up in the Industrial Relations Commission of New South Wales out in Orange and find, after having driven for half a day to get there, that you are really under a federal award and have to go somewhere else.

If small businesses had their way, they would like a simplification and harmonisation of the systems far more than a draconian law like this one the government is putting forward. This piece of legislation will make it harder to get harmonisation. It will not make it easier; it will make it harder. It will draw the Commonwealth and the state systems further apart. The minister then says you should do what they have done in Victoria and hand over the whole system to the Commonwealth. I do not think that many of the workers in Victoria think that is a good idea. A lot of the employers in larger states like New South Wales and Queensland are quite happy with the state industrial systems and would like to see harmonisation. They do not like the fact that the Commonwealth keeps tinkering with the system, making the two systems even further apart.

As I pointed out before, small businesses in country areas want better access to government services before they want the government changing the industrial laws once again. That is what they want from the government, not the ability to sack some people in certain circumstances without the fear of it costing them money. If they wanted to really help small business, a more positive thing might be for the government to institute something like a help line, because many small employers with a few or even one or two employees who are not unionised have no idea what they have to do or what they do not have to do, what rights their employees have or what rights the employer has. If the government had a helpline which genuine small business people could ring to get advice, it would save them a lot of time and effort.

Small businesses in the country want more important things than these changes to the industrial laws. They want a better telecommunications system, not just the rhetoric that tells them they have a better system when they know from their own bitter experience that they do not. They want access to robust computer operations which will allow them to more efficiently order goods and services. They want an efficient transportation system which will deliver goods to them on time. So what argument does the government put forward for this legislation? In his second reading speech, the minister said:

The government is reintroducing this bill to honour a commitment it has made to the people of Australia to free up the large number of small business jobs that are being lost because of the unfair dismissal laws.

The large number of jobs that have been lost by unfair dismissal laws in small business? This change applies to only 25 per cent of small businesses, so he is obviously not all that keen on doing too much. This is about the government getting back to wedge politics.

The minister referred to research that found that small businesses are reacting to the complexity and cost of unfair dismissal laws by not taking on additional employees. I am not as convinced as he obviously is about the veracity of this so-called research. Doubtless there are small businesses that are concerned about the costs and there are some that have had to try to meet the cost of court action, but I do not believe the problem—if it is a problem—needs fixing in the way that
this legislation will fix it. The minister says that there is research. He does not produce too much of it, and a lot of the pressure from small business about this is apocryphal. If you ask most small businesses if they have had a problem with unfair dismissals, they answer, no, they do not but they know someone who does. Everyone knows someone who has, but not many of them say it has happened to them, because most small business people want to ensure, if they have good employees, that they keep them and, if they have duds, that they get rid of them. The system lets you get rid of the duds. And the system helps someone who is unfairly dealt with—someone who is victimised. It gives them the chance to get their job back. That is what the system should do. It should not end up being a system that, as the minister says, will create more jobs. What is he going to do: churn people through this? Are we going to have small businesses do what the telephone companies do with mobile phone systems: you work here one day and somewhere else the next, and they claim a new job has been created because you have moved from here to there and someone has filled your job?

The government seems to believe that if small businesses are exempt from the unfair dismissal laws, there will be more jobs available in small business. I do not see how this is going to work. I think what the minister means is that we are going to get back to this churning. We are going to have people moved with impunity in and out of jobs, and so the statistics will look a lot better. If Fred Nerk fired 15 people last month, that will not be recorded in the employment figures. They will show that Fred Nerk put on 14 new people—but they will not say that he got rid of them a few weeks later because they would not work nine hours a day or because they would not accept Fred’s illegal sexual advances or because they would not take cash instead of a weekly salary. A lot of employees have to put up with a lot of iffy things from a lot of employers. Are we going to take rights away from these people? The minister’s argument, to my mind, is that, by allowing 25 per cent of small businesses—not all small businesses, only those 25 per cent which are incorporated—to sack people with impunity, that is going to create work. If the employers of this country think it is a good thing to put people on because they can fire them quickly, then I do not think they are the sorts of employers that we really want. Quite frankly, I do not think that is what most of the employers out there are about.

As I said earlier, most employers, particularly those in small businesses in the country, when they have a good employee, want to keep that person. They do not want to be freed up to be able to sack them tomorrow. Why should we allow people to do that? Why should we allow that sort of insecurity to develop in a quarter of small businesses? The other 75 per cent that are unincorporated are not going to be able to do this; only a quarter of them are going to be able to do it. If unfair dismissals are a problem for small business—and I do not believe they are—then that problem should be addressed. Maybe it is the way dismissals are dealt with that should be looked at. All the industrial jurisdictions around the country are looking at that. We ought to look at why these dismissals are occurring, what appeal mechanisms are in place and how they can be improved. If cases are expensive, we should be trying to do something to make them less so. A number of state jurisdictions are doing just that. There are a whole lot of aspects that should be looked at before embarking on this sort of legislation, which does not even begin to look at the underlying issues and which says to one class of small business employer that they have different rights to the other 75 per cent of small business employers. It should not say that one-quarter of those employees will have fewer rights than the other three-quarters.

When this legislation was last debated, one of the arguments in favour of the bill that was put forward by the government was that there were agents out there trawling for business on a no win, no charge basis and that that was a reason to take small business out of the industrial relations system. What people were talking about was that these agents were putting ads in newspapers trawling for non-unionised employees. Like ambulance chasers, these lawyers will always find a way to make a quid: you could have 10,000 law-
yrs and 10 lawyer jobs, and they will always find another way to extend the envelope. Some of these agents are actually qualified lawyers, but they have passed in their practising certificates so that they do not have to be bound by the Law Council’s ethics. They get up to some pretty unethical activities. The unions involved in the system do not do this; it is these agents who do it. But there are only a few agents like this in Sydney and Melbourne, so if your aim is to get these agents out of the system it seems a pretty bizarre piece of legislation to be bringing in here, because all it is going to do is restrict 25 per cent of the market for those agents. The other 75 per cent, the unincorporated small businesses, will still be able to be held to ransom under the current system, and these agents will be able to get their employees.

Since this legislation was brought in last year, it is interesting that one of the biggest agents in Sydney—the fellow who had three offices around Sydney and had ads in all the local newspapers—has downsized and outsourced himself. He has closed down one of his offices, he has put off most of his staff and he is now advertising himself as an employers’ agent—he has joined the other side. The argument that was put quietly around the corridors of this place was that he was one of the reasons we needed this legislation. But this fellow has reduced most of his work, he has downsized himself and he is not even in the system half as much as he was. So wouldn’t it have been bizarre if we had passed legislation last year because some people in the government said this particular agent was a big problem and there were others like him in Melbourne who were all getting on the bandwagon, and now we find that they have got out of that side of business and are offering themselves as employment relations advisers to employers? What are we doing? Are we going to have a piece of legislation to stop something that has already wound down?

When we look at this legislation we should also think about the rights of the people who are employed in small business. Shouldn’t a person who, for instance, works in a corner shop in Lithgow or in some country town have the same rights as someone who works in Coles or Woolworths? Shouldn’t they have the same rights if they are doing somewhat the same job—a shop assistant is a shop assistant is a shop assistant? But what the government are going to say is: ‘We will now have three different lots of shop assistants. We’ll have the shop assistants who work in the Mom-and-Pop store that is not incorporated, and they’ll have some rights. We’ll have those who work in a small business that is incorporated, and they’ll have no rights. And we’ll have people who work in Coles and Woolworths, and they’ll have rights.’

This is another attack on the rights of ordinary working Australians. But the interesting thing about this is that, normally, the person who works in Coles or Woolworths is less likely to be unfairly dismissed than someone who works in a small business. That goes back to my original argument that most small businesses have no idea what award they are covered by, and their employees do not know—they are non-unionised areas, and so the employees cannot get advice from their union about what their rights are. The large employers have processes and protocols in place to deal with grievances, but small operators do not. The government would be more helpful to small business if they provided training to small business operators on how to deal fairly with employees who are involved in disciplinary matters, in order to avoid the unnecessary divisiveness of dismissals.

The government are not helping small business by this divisive piece of legislation. This legislation is about scaremongering. It is about the government trying to create a climate amongst small business that there is some sort of terrible problem out there. And, after creating that climate, they will get out there and say, ‘There’s this terrible problem, and we’ll fix it for a quarter of you.’ It is just typical of the approach of the government. The intent of this legislation is as Orwellian as the name of the legislation. The government say that somehow or other we are going to create more employment by allowing people to dismiss people more easily. We are going to start churning workers. What is be-
hind this legislation is a gross piece of dishonesty from the government side. What it will do is create division between small employers and their employees. In particular, it will do very little, if anything, to help small business. All it will create is a whole lot more tension in the work force. Australians, whether they work for Coles, Woolworths or the corner shop, should have the same rights. We should not be creating a system where people who work in incorporated small businesses have fewer rights than people who work for any other employer. That is discriminatory, that is unAustralian—and that is what this legislation is.

Ms JANN McFARLANE (Stirling) (9.50 p.m.)—I rise tonight to speak out against the amendments put forward by the Minister for Employment and Workplace Relations in the Workplace Relations Amendment (Fair Dismissal) Bill 2002 [No. 2]. The irony in the bill being proposed by the minister is that this bill does not seek to change the nature of workplace relations but, rather, simply to remove workplace relations procedures for an entire subclass of employees in this country—workers who trust us to give them fair and just wages and conditions. In a democratic society like ours, fairness is a fundamental tenet and should be reflected in the operations of our basic institutions and procedures. Workers should have the right to be able to work in an environment where they do not have to fear being treated unfairly, be that through acts of prejudice or simply poor management. Employees have the right to feel protected by the workplace relations laws of this nation and should be safe in the knowledge that they cannot be dealt with unfairly in the workplace.

In this bill the Howard government is attempting to undermine the rights of ordinary Australians. The Minister for Employment and Workplace Relations, Mr Abbott, noted in his second reading speech that members would be familiar with the contents of his bill. Yes, Minister, we are familiar with the content: the Howard government has been trying to remove protection for workers in small business since the formation of the Small Business Deregulation Task Force in 1996. So why has the government failed on numerous occasions? The answer is that it is because its arguments are highly spurious and based on false premise. Let us examine the government position. The Howard government hangs its hat on the claim that excluding small businesses from the unfair dismissal laws will create over 50,000 jobs. This claim is so absurd that it verges on the ridiculous. The Howard government has produced no credible evidence that would suggest that properly formulated termination laws discourage small businesses from employing new workers.

The government claims that this bill will create 50,000 jobs. However, this figure is an estimate by the Council of Small Business Organisations of Australia. It is not fact backed up by hard research. When we look at the research, the Howard government’s position is blown out of the water. If the Minister for Employment and Workplace Relations, Mr Abbott, had bothered to research, he would have found that, in the 1998 Telstra Yellow Pages Small Business Index, unfair dismissal laws did not even get a mention when small business was asked to consider the barriers to taking on new employees. Unfair dismissal laws came on the radar only when small businesses were asked to highlight their major concerns, and then only six per cent of workplaces saw unfair dismissal laws as a major concern. It was, in fact, taxation that was considered to be the real issue, with over 40 per cent of small businesses highlighting it as their major concern. Furthermore, pre-election surveys showed that businesses were most concerned about tax laws, tax levels and the complexity of government regulations, not unfair dismissal laws. It is good to know that the Howard government has its finger on the pulse of the small business community!

These statistics only go to back up my own experiences in Stirling. As I have mentioned in a previous speech in this place, I support the role of small business with great vigour in the Stirling electorate. As a member of the Stirling Business Association, I am always eager to read the Chamber of Commerce and Industry review publications, and unfair dismissal issues rank a distant sixth. These statistics illustrate that businesses do
not feel intimidated by current termination laws and that they feel much more pressing issues should be at the fore. Current laws exist only to stop employers who behave in an unlawful way. Therefore, a correctly run business has nothing to fear from a strong unfair termination law. Labor is utterly committed to furthering the interests of business owners who treat their employees correctly. We believe that making the industrial relations system more accessible and easier to deal with is a more practical and appropriate policy direction.

I would like to commend the work of the Stirling Business Enterprise Centre in my electorate on their workshops and seminars for small business. These seminars are well attended and have increased the skills and abilities of people running small businesses. The network of business enterprise centres across Australia has extensive experience in running programs to enhance the skills and abilities of people running small businesses, including the ability to manage and supervise staff, appraising staff so as to build their weaknesses into strengths and role models of good employment. These business people have respect for their workers and handle their employment relations in a responsible and accountable manner. These small business people are aware that they are members of a community and that they are responsible for making sure that the friends, neighbours and relatives they may employ are well supported in the workplace environment.

The Howard government has failed to identify the major issue facing small businesses. But what of the original claim that being unfair will create 50,000 jobs? Again, this is grounded more in ideology than in reality. The enactment of the 1993 Industrial Relations Reform Act by the Keating government marked the creation of the Brereton unfair dismissal provisions. Between 1995 and 1997, the ABS found that, out of their research group of 600,000 job seekers, all found at least one job between May 1995 and September 1996. Unemployment also fell from an annual average of 10.9 per cent to 7.5 per cent in 1998. It seems that the enactment of unfair dismissal laws by Labor governments did not have a detrimental effect on job creation. Furthermore, a substantial number of these jobs were created in small businesses. Between September 1995 and September 1997, 1.2 million wage/salary jobs were entered into by job seekers. Three hundred and sixty thousand of these jobs were in businesses with 10 or fewer employees, while 270,000 were generated by companies with from 11 to 50 employees.

What the Howard government fails to see is that this bill could have a damaging effect on youth employment. Figures show that, although young people have problems gaining employment, the more chronic problem is maintaining their employment status. Young people are overrepresented in shorter and minimal work experience groups, highlighting the fact that young people have fewer problems getting a job than they do keeping a job. Following this argument through, I fail to see how making it easier to dismiss employees will in fact address the problem of youth unemployment.

It is not just the Labor Party that believes the Howard government claim that treating people unfairly in the workplace will lead to more job creation is highly spurious. The full court of the Federal Court, in the Hamzy v. Tricon International Restaurants trading as KFC case, rejected Professor Mark Wooden’s evidence that, if unfair dismissal laws applied to casual employees, there would be an adverse effect on job creation in Australia. The full court ruled that the ‘relationship between unfair dismissal laws and employment inhibition is unproven’ and that Professor Wooden’s opinion was ‘an entirely theoretical construct’. This legislation is divisive and ill informed. The government has not shown any evidence that this bill is needed, or even wanted, by the business owners of this nation.

The Hamzy v. Tricon International Restaurants case highlights another glaring problem with this bill: the rights of casuals. If enacted, this bill would effectively shut out from the Industrial Relations Commission all casual employees employed under a federal agreement who have worked for an employer for less than a year. Previously, this has stood at periods of three and six months. The nature of casual employment itself is funda-
mentally short term, so it would be accurate to presume those who have held a casual job for longer than six months are well entrenched in the business and therefore deserving of full protection from unfair termination. This legislation is aggressively trying to cripple the rights of many casual workers in this country.

Casual workers’ lack of rights and job security already disadvantage them significantly. The number of casual workers in this country, as with most other countries, is growing at an incredibly fast rate. The groups of people predominantly in this category of worker are often those at greatest risk of being treated unfairly in the workplace. The ABS measures casual employment differently to the way this legislation would; however, these statistics are still telling. Nearly one-third of all women in the workforce are casually employed. Most significantly, nearly two-thirds of all 15- to 19-year-olds in the workforce are casuals. Constituents come to me when they are offered redundancy or have their contract cancelled because they want assistance to keep their jobs. They are usually young people.

The number of young people the government is attacking in drafting this bill is further accentuated by the fact that many of the corporations under federal workplace agreements are dependent primarily on youth labour. To give a practical example, in 1993 90 per cent of McDonald’s Australia’s employees were aged younger than 21. The casual industry in this country is one reliant upon the young people of this country. The minister is trying to expose thousands of young people in jobs on federal agreements to employers who would now be in a legally unaccountable position.

Under the former Labor government, casual workers were considered ‘short term’ if they had worked in a company for a period of less than six months. We on this side of the House feel that anything greater than that is more than enough time for an employer to have gauged the efficiency of a worker and that, as such, termination protection should be full by this point in the employment relationship. The 12-month period that this government has installed encourages bad employers to take a cavalier attitude to employment of casuals, particularly young people. It will leave these workers in a dangerous and unprotected environment in the workplace.

In the state of Western Australia I have encountered many examples of casual workers being forced to leave without necessarily being sacked. For example, in a cafe in the western suburbs of Perth, a worker who had been working 40 hours a week for two years had her hours cut overnight to make way for one of the owner’s family members. In another example, again from a cafe, an employee had regularly worked 25 hours a week for a year and a half. When the employee made one inquiry about the inequity of the roster, her hours were slashed to two hours a week. Is this fair and just behaviour on the part of the employer? I think not. Is it fair to give more power to employers who may not always act fairly? I think not.

There is also a very real danger that employers may force Australian workplace agreements on to workers with the threat of dismissal. Take the example of two Western Australian cleaners, Lin Watts and Mary Nelson, who had worked as casuals for 12 years before their employer told them to sign an AWA or face the sack. Lucky for them they were union members and successfully fought the employer’s unfair behaviour. As it stands, I believe that there are already ample opportunities for business to avoid the full effects of unfair dismissal laws within the existing legislation. We on this side of the House fail to see the need for the federal government to abandon all workers in small businesses and casuals, who are the most vulnerable group in today’s workforce.

I have tried to grasp the motivation for this bill. I thought it may have been because, after many years of progressive Labor governments in the 1980s and early 1990s, our employment protection legislation had surpassed that of other Organisation for Economic Cooperation and Development countries. I went and looked up the OECD report into the Australian labour market. The report provided a damning critique of Australian employment protection legislation, EPL. It stated:
Australia has consistently come out as one of the countries with the least EPL in the OECD area.

It goes on to note:

Australia was ranked particularly low on procedural requirements in the case of individual dismissal, and on the criteria given for unfair dismissal.

The report also classified Australia as an 'easy to dismiss' country. Only the US, New Zealand and Canada had legislation which provided less protection. It is disgraceful that a developed, Western country such as ours rates so poorly. I know the Howard government likes to mimic everything American, but this does not absolve it from its responsibility to develop a system of governance that is second to none.

Finally, I would just like to point out some contradictions in the government's position. By defining small business as a company with 20 or less employees a business might, in an attempt to retain their exemption, maintain their work force at 20 or less. Alternatively, it may encourage some firms to downsize so they can cash in on the exemption. It is also feasible that bigger businesses may split into numerous separate companies of 20 or less so they can hire and fire at will. This is not such a far-fetched idea. Burswood casino in Western Australia used a similar strategy to avoid its legal commitments. Burswood casino entered into an enterprise bargaining agreement with the Liquor, Hospitality and Miscellaneous Workers Union. To avoid its legal obligations under the agreement, Burswood set up a separate company and made all its workers join it and sign AWAs. The new company was not bound by the previous agreement, allowing Burswood to successfully circumvent its legal obligations. It is already the case that businesses create other companies in an attempt to escape from their legal obligations, and I fear that this bill will only reinforce this practice.

The Labor Party is not in the business of making life harder for employers. We are genuinely supportive of the rights of employers to hire and fire in the interests of their business. However, this proposed bill does not affect employers doing the right thing. An employer who is fair in the employment of casuals—and, indeed, the dismissal of casuals—has nothing to fear from a strong and effective unfair dismissal system. In fact, all the evidence suggests that it is not even a major issue or a hindrance to job creation. Furthermore, the Labor Party believes it has the support of the business community when it says that this legislation is unnecessarily endangering the young people of this country. Business owners, like employees, are also mums and dads; as such, they do not want a system where their children or their family members can be discriminated against, harassed and made to feel inferior by bad, unscrupulous employers protected by this government's approach to workplace relations.

I would like to remind the minister and the House that casual employment in this nation is growing rapidly. Between August 1988 and August 1998, 69 per cent of net growth in the number of workers was in casual employment. This trend will almost certainly continue for the foreseeable future, and, as such, this government has an obligation to the casual workers of this nation to protect their rights in a fair and equitable manner. This bill will create a two-tiered industrial system where a worker in a company with 21 employees will have more rights than a worker in a company with 20 employees. I believe that all Australians are entitled to be treated equally and to be given a fair go, and that this should not change when they step into the workplace. The Labor Party is particularly concerned about this legislation's potential to allow the workers of employers with federal agreements to work with the threat of unfair dismissal. Labor's commitment to the youth of Australia will not allow the acceptance of such vexatious policy.

There are myriad options that the Howard government could pursue to assist business, particularly small business. These options include taxation reform, shifting the focus in unfair dismissal from compensation to reinstatement, and simplifying the system itself. However, the Minister for Employment and Workplace Relations, Mr Abbott, is letting his ideology rather than the public interest drive workplace relations policy. This bill has the potential to cause the sacking of a significant number of Australians for no jus-
tifiable reason. It seems that Mr Abbott is not only content with workers having bad bosses with poor skills; he has also given them the means to be without a boss at all.

This bill is vexatious to the confidence of a significant number of Australian workers. Before you give an organisation, individual or group an automatic exemption, you should have to justify it by proving it is in the public interest. This has not been done. In fact, this bill will disadvantage the most vulnerable members of the community. If no justification can be found, and we are just exempting small business from unfair dismissal laws because they want to be exempted, then should we also exempt them from paying tax and superannuation, because I am sure they would like that also? I oppose the passage of this bill and encourage the minister to go back to the drawing board, consult with workers and bring in amendments which are constructive, practical, fair and just.

The government should spend the money that they are wasting on advertising some of their workplace relations reforms by giving funding to the business enterprise centres so that they can continue to run their excellent programs in skilling up small business people in the running of their businesses—including the skills to appraise, support, supervise and deal with workers in the context of performing for their business. They should do that rather than continue with these amendments, which give a very strong message to the community that casuals, contract workers and young people are expendable on the whim of someone who may lack the skills to be a good employer and who thinks they have a right to do this because of whatever is happening in their business. I oppose the amendment and hope it does not go through—like the previous one.

Mr MOSSFIELD (Greenway) (10.09 p.m.)—The Workplace Relations Amendment (Fair Dismissal) Bill 2002 [No. 2] has been before this parliament in one form or another since 1996. It is a pleasure to follow the member for Stirling, who has clearly outlined the Labor Party’s position. It is also a pleasure to follow the member for Watson, the member for Isaacs, the member for Rankin, the member for Brisbane, the member for Blaxland and the member for Throsby—all the Labor Party members who have spoken since the previous government member spoke on this piece of legislation. The Labor Party are prepared to come into this parliament and to stand up for their convictions and argue their points of view, but it seems as though the government members have deserted this legislation and are not prepared to debate it.

This legislation is designed to remove the protection that people who work for larger companies have from being dismissed unfairly for workers employed by smaller companies. The legislation is not an attack on the trade union movement, as so much of the government’s legislation is; it is an attack on the rights of individual workers, as a large number of people who work in small businesses do not belong to trade unions. It is an attack on workers who are most vulnerable—those who do not have the protection of a trade union movement. In his second reading speech, the minister boasted that one million jobs had been created since the government came to office in 1996. We do not argue that job growth is not good, but there is no evidence that job security has increased over the same period of time. We must remember that most of the job growth has been in the part-time and casual labour market and in low paid jobs. How many extra jobs would be created if small business were exempt from unfair dismissal legislation is pure conjecture, and I will speak about this later in my speech.

One assumes that employers are careful when they select their employees. The need to sack workers for a misdemeanour would, I believe, be rare, and both sides, I think, would be careful. The employer would be careful, and I think most employees are responsible workers, so they would not put themselves in a position whereby they would have to be dismissed. In my view, the time spent by an employer in handling the rare case of an unfair dismissal would pale into insignificance compared with the many managerial decisions that small business managers accept as part of running their business. The minister uses a very weak argument in his second reading speech—that
many small business owners are not confident that they know how to comply with the dismissal laws. I believe that that is an insult to small business people. Is the minister suggesting that small business owners are dills? These are the very same small business owners that run complicated business enterprises and that have to come to grips with the GST and other complicated legal issues concerning their businesses.

It is just a red herring to suggest that unfair dismissal legislation is more complicated and time consuming than other aspects of running a small business—it is not. It is certainly not an argument to change the laws. It is a demonstration that the government has not done its job properly in informing small business owners of how the current laws work. It is an argument for better education from the government; it is not an argument for changing the laws. Sure, small businesses try to reduce their administrative costs—we accept that—as part of running a business. But do we suggest that they do not have to pay their taxes or council rates? Small businesses, indeed all business people, are required to pay large fees to solicitors, tax agents and accountants as part of their normal running costs. I believe that the rare occasions on which small businesses would have to handle an unfair dismissal claim would be fairly minute. If a single small business is facing unfair dismissal claim after unfair dismissal claim, then perhaps they need to examine their own employment practices. Of course, most small businesses are not facing repeated unfair dismissal claims, if they face any at all.

Having previously spoken several times on this legislation, I would like to reiterate in general terms some of the compelling arguments that I have used previously in opposing the principles of this bill. The principal argument, going to the unfairness of the changes proposed in this bill, is that it leaves a significant section of the work force without the basic protection enjoyed by workers employed in medium to large businesses. It is fair to say that the proposed changes will have only a marginal impact, if any, on the viability of small businesses. I believe that most workplace disputes and most cases of unfair dismissal are settled reasonably.

In one of my earlier speeches, I spoke of a constituent who had been dismissed from a small panel-beating workshop. This worker had worked for this company for a number of years. He had a couple of days off sick and, when he returned to work, he was dismissed. When the worker inquired as to why he was being dismissed, the employer said, ‘There are a couple of reasons I can give, but the easiest for me is to simply say that there is insufficient work,’ even though the worker had been working considerable overtime prior to his dismissal. This worker made a claim for unfair dismissal and was prepared to settle for his award entitlement. He was given a week’s pay when he left the company. The commission awarded him another two weeks pay, which was his award entitlement. This is a case of a fair settlement to an unfair dismissal case.

The government would argue that a financial settlement for people who have been unjustly dismissed places an unfair cost on employers, but what about the massive salaries and redundancy payments that directors and CEOs get—the golden parachute, as it is now called? It is all relative: the more the top end of the town sucks out of the system, the less there is for the small end of town. Just to emphasise that particular point, in the 90-second statements today I referred to Deborah Katnic, a constituent of mine who is having a dispute with Warringah Mall relating to her right to park her car on the employer’s premises. One of the things that made the workers very agitated in this particular dispute was the fact that the AMP—the company that was making these people pay $4 a day to park their cars—was the same company that was paying its chief executive some $7 million in a redundancy payout. That simply shows the unfairness of the situation.

Most small businesses work for large companies—for example, an engine component manufacturer in my electorate works for the big car companies. It is important to remember that small businesses do not necessarily operate in isolation; they are, in many cases, contracted to big businesses. The gov-
The government wants to stop workers in small enterprises from getting their award entitlements—a few weeks pay when they are unfairly sacked—but does not seem to be doing much when a director runs a large company into the ground, threatening the jobs of thousands, and then gets a multimillion-dollar bonus.

When I spoke on the Workplace Relations Amendment (Fair Dismissal) Bill 2002 on 20 February this year, I finished my remarks with the statement:

The bill should and will be consigned to the rubbish bin of history.

The minister has reached into the bin and pulled out the crumpled bit of paper, flicked off the bits of stale orange peel and sandwich crumbs, tried to smooth it out and make it presentable and has moved it yet again. All told, in various forms, I believe this is the eighth attempt to bring in this particular piece of legislation. Of course, it will not work because, no matter how the minister likes to dress it up, this legislation is simply a piece of garbage. This legislation tries to take away the rights of some Australian citizens. It tries to create two classes of workers: those with rights and those without rights. There is no logic to this bill—none whatsoever. Why should someone be penalised and have fewer rights simply because they work for a small business? Why pick on them? Why single them out for special treatment? It makes no sense.

This legislation is antiworker and anti-Australian. The government have a history and a habit of bashing workers who join trade unions. With this piece of legislation, they have turned their attack on workers who are not members of trade unions. As I have said, most workers in small businesses are not members of trade unions. It is the business of the Labor Party whether or not a worker is a member of a trade union—that is their right—but we stand by their side. We want to protect all workers whether or not they are trade union members.

It does not seem to matter to the government. They want to attack, denigrate and remove the rights of all workers whether or not they are members of trade unions. This legislation is a clear example of this. There can be no more startling evidence of the difference between the Liberal Party and the Labor Party than the issue of protecting workers’ rights. We want to protect; they want to destroy. The feudal system was dismantled centuries ago, and those who believe they are the lords and masters have been trying to turn back the clock ever since. Workers have rights, and those rights have been recognised in struggle after struggle over the years. Any attempt to take away those rights is an undemocratic and backward step in society’s evolution.

The Labor Party recognises that small business is the engine room of the economy. Small business must flourish to create jobs and improve the outcomes for workers—for ordinary Australians. To emphasise this point, I will quote from the speech by the shadow minister, Mr McClelland. In recognising the role of small business, the shadow minister said:

In total, 3.1 million people work in small business as either proprietors or employees. It is the major driver of jobs growth in the economy.

The member for Stirling made the point quite clearly, when talking about the complexities of the many issues that small business have to contend with, that the taxation system is far more complicated, time consuming and expensive for small business to operate than any form of unfair dismissal.

We also acknowledge that the system is not perfect. Changes have been made, and will need to continue to be made, to adjust to changing circumstances. However, the sledgehammer approach taken by this government of simply stripping away a person’s basic rights is not the way to go. A sledgehammer is a weapon of destruction, not a tool of construction, and a government needs to be constructive in order to build a better society. Nobody ever built anything with a
sledgehammer. The real and necessary reform that must take place in this area is being hampered by the government’s blinkered ideology. This legislation is more about politics than it is about industrial relations. This is the eighth time this legislation has come up and on seven previous occasions it has been rejected. That should tell you something about the quality of the legislation and the government’s argument. It has been up eight times and it has been exactly the same legislation each time, except for a slight definitional change that redefined a slightly larger business as a small business when the proposal was changed from 15 employees to 20 employees. This legislation has not changed because the government refuses to negotiate, refuses to compromise, refuses to look at any alternative view or suggestion and refuses to do anything positive at all. On any other legislation, negotiations take place, differing views are accommodated, and compromise is made; that is the nature and essence of democracy. With this legislation, none of the normal practices of government—none of the practices of democracy—have taken place, and as a result we must ask the question: why? One must question the motivation behind this belligerent stand.

Once again, Labor will be moving substantive amendments to this bill during the committee stages. These amendments are designed to reduce procedural red tape for small business and to reduce costs imposed on small business while still protecting workers’ rights and entitlements. It will be a win-win situation. If the government were prepared to accept the amendments moved by the Labor Party, you would have a more efficient small business sector as well as satisfied employees who had better job security. They are positive, constructive amendments designed to address the problems associated with unfair dismissal and its burden on small business. These amendments, like all the others we have moved in the past, will not be accepted by the government—I am afraid to say—primarily because they actually address the problems, they are positive and they are logical. If the amendments were accepted and the legislation passed, then the government would lose its double dissolution trigger; and quite clearly that is what it is all about. It would lose the chance to score petty political points by spreading the lie that Labor is anti small business—we are not.

The government does not want this legislation passed. It wants to be able to create this climate of a double dissolution and to then hold over this parliament the possibility of a further election. It has shown that by its refusal to consider any one of these amendments moved by the Labor Party. The real obstruction to reasonable and decent unfair dismissal laws in this country is the federal government. No matter how the government tries to dress it up, regardless of the spin it is the government itself which is stalling this legislation. I say to the government and to the minister: leave the spinning to Shane Warne and start working constructively to make the system fairer for everybody involved.

Labor have listened to the concerns of small business, and we have learnt a thing or two about the issue. Our amendments address the concerns that small businesses have. If the government were serious about finding a solution to this problem, it would sit down and listen to small businesses as well. There is absolutely no proof that the current system costs jobs—none whatsoever.

On 15 November 2001, in Hamzy v. Tricon International Restaurants, the Federal Court said:

It seems unfortunate that nobody has investigated whether there is any relationship between unfair dismissal legislation and employment growth. There has been much assertion on this topic during recent years, but apparently no effort to ascertain the factual situation.

That is the legal system of this country speaking. Once again, to back up that particular decision, the shadow minister said in his speech:

Insofar as this bill proposes to exempt employees from federal unfair dismissal laws, when you analyse it you find it is not the answer. The reason I say that is that to be covered by federal unfair dismissal legislation and employment growth. There has been much assertion on this topic during recent years, but apparently no effort to ascertain the factual situation.

That is the legal system of this country speaking. Once again, to back up that particular decision, the shadow minister said in his speech:

Insofar as this bill proposes to exempt employees from federal unfair dismissal laws, when you analyse it you find it is not the answer. The reason I say that is that to be covered by federal unfair dismissal laws a small business must be both a corporation and covered by a federal industrial award. On the basis of research I have seen, it is estimated that around 27 per cent of small businesses are in that category.

It is only 27 per cent. There has been no effort to obtain the facts on this issue—none.
What has this minister been doing? If he believed in his position so utterly, he would have put in place a study to find out what the factual situation is. But there is no study. There has been no inquiry—not even one with a bodgie set of terms of reference that has been stacked with his mates, like the government’s efforts with Telstra.

You would think that, if the government felt so secure in its position, it would have produced some kind of documentation, some set of statistics from somewhere that would back it up. But it has not. It is a pretty damning critique from the Federal Court of this country. But, as I have said, the government does not want this legislation to pass because it is more useful to it politically to have the legislation remain on the shelf or in the bin, as the case may be. This government is more interested in its petty political games than in addressing the concerns of small business owners and workers across the country. This is a bad piece of legislation. It should and will be consigned to the rubbish bin of history—until the next time the minister reaches in, drags it out, flicks off the stale orange peel, tries to flatten out the wrinkles and puts it up to be knocked over once again. God loves a trier.

Debate interrupted.

ADJOURNMENT

The SPEAKER—Order! It being 10.29 p.m., I propose the question:

That the House do now adjourn.

Boothby Electorate: Coromandel Valley Primary School

Dr SOUTHCOTT (Boothby) (10.29 p.m.)—I rise tonight to speak on the subject of schools. Firstly, I congratulate two schools in my electorate which were short-listed for the Australian’s best schools of 2002, Unley High School and Brighton Secondary School, both excellent schools which provide a very positive learning environment for students in my electorate.

I want to speak tonight on the issue of Coromandel Valley Primary School. Coromandel Valley Primary School celebrates its 125th anniversary this year, but students are currently learning in transportables which are 25 years old. In July 2001, I was delighted when the then federal minister for education, Dr David Kemp, wrote to me approving the payment of $1.2 million for permanent classrooms at this primary school. I was able to announce the funding at that time, and it was agreed that the South Australian state government would make a contribution so that the school would receive a $2 million upgrade—a very significant upgrade for a primary school in my electorate. It was due to commence in May 2002 and to be completed in 2003. In January this year, the then South Australian state Treasurer, Rob Lucas, committed to maintaining the $2 million allocation for the redevelopment of the school if re-elected.

You can imagine the school’s disappointment when, in July 2002, Jeff Walsh, the new chief executive of the South Australian Department of Education and Children’s Services, wrote to them and announced that, as $17 million over four years had been reallocated to other schools, the proposed project for Coromandel primary school was going to be deferred. After meeting with Glen Phil lips, the chairperson of the Coromandel Valley Primary School council, and being made aware of this, I contacted Dr Brendan Nelson and wrote a letter on 26 July with the local state member, the Hon. Iain Evans, asking the minister to use whatever powers he had to ensure that the federal government’s $1.2 million was spent on the school that it was given to.

Mr Speaker, you would be aware that there are similar projects at Gawler Primary School and Orroroo Area School in the electorate of Grey which have also been deferred. Dr Nelson has advised me that the Commonwealth will withhold an amount equivalent to these grants until the state undertakes the works they have already received money for. The states may not remove a project from the list of approved Commonwealth funding without Commonwealth approval—and it appears this has happened. Where is the $1.2 million that was given for the school? In his letter to me, Dr Nelson also says:
While there are some instances in which capital projects must be deferred for legitimate reasons, I am yet to be convinced that this is the case for most of the South Australian projects in question. I cannot accept confirmed Commonwealth payments being diverted to other purposes by the State while the needs of schools like Coromandel Valley Primary School are perpetually deferred.

I could not agree more.

There are two issues here. Firstly, there is the reallocation of money which was originally given for Coromandel Valley Primary School. Secondly, and more disturbingly, I have now become aware that the state minister, Mrs Trish White, has stated that the state government are committed to completing the project by December 2004, yet the state department’s capital works group is unaware of this commitment and has not allocated any funds to complete the project. It is not good enough. I will continue to raise the issue of Coromandel Valley Primary School until the money which has already been given by the Commonwealth government to the state government actually goes to the school that it was given for.

Oxley Electorate: Meat Industry

Mr RIPOLL (Oxley) (10.33 p.m.)—Tonight I want to talk about the importance of industry and jobs in the electorate of Oxley, the wider region of Ipswich city and the western suburbs of Brisbane, which I represent. There are a number of industries which have, for many decades—some, in fact, for over 100 years—represented the core of the electorate of Oxley. They are industries such as mining, rail, farming and meat processing. Even wine production has recently become a renewed pursuit in the region. Not many people would associate Ipswich with the great wine regions of Australia, but we do produce a few good drops. Most people would have very little idea of the contribution of many of our other industries in the local area. These industries have been and continue to be the nucleus of jobs and the economy of the region and are extremely important to our local economy.

While the more traditional industries of mining and farming have made way for newer industries, they continue to be important to our identity and what represents us. But tonight I also want to make a few comments about an industry that has received much attention lately but is little understood. It is the meat industry and, in particular, the Australian Meat Holding plant at Dinmore in the very heart of my electorate. The plant is a world-class, state-of-the-art processing plant that is the largest in the Southern Hemisphere and has technology and equipment unparalleled by any other plant anywhere in the world. The AMH Dinmore plant employs over 2,200 workers and contributes around $1.5 million to the local economy every week. It is growing and expects to employ over 3,000 people by 2003. To give people some sense of the magnitude of that employment, it is bigger than many car manufacturing plants, bigger than some mines, bigger than some government bodies and, in fact, bigger than many local government councils.

I had the privilege last week to become a meatworker for a day. It may be a bit unusual, but I felt that it was necessary for me, as the federal member representing the largest meat processing plant in the country—the largest employer in my electorate—to understand the plant, its processes and its workforce. This was not glib act just to get myself a media story. I needed to get tested and vaccinated for Q fever before being allowed to work at the plant, and I went through the same induction processes as any other worker—although, I must admit, it was a truncated process.

What I experienced was a truly modern and quality-conscious workforce of highly skilled individuals who are the best in their industry. The plant itself is very modern, as around $65 million was recently spent in upgrading the facility, with a further $30 million committed to environmental standards and requirements. The meat industry in the past has received bad publicity for its employment practices, and for some in the industry that remains an issue. At the AMH plant, though, they operate on a consistent work practice through the whole year, not just in seasonal periods. This brings great certainty and the ability to plan for the workers employed there. The plant is also highly unionised and works well, negotiating enter-
prise bargaining agreements and ensuring that, while the work might be tough and hard, it also pays good wages week in, week out, and that it provides other benefits, such as sick pay, holiday pay and other standards which are not found consistently across the meat industry.

I want to thank the management of AMH for their agreement for me to be a meat-worker for a day and also the workers who so generously allowed me to work beside them. I may not be as skilled at what they do, but I certainly enjoyed talking with them and hearing their views on a whole range of issues. One thing that I learnt more than anything from my experience at the AMH Dinmore meat processing plant was that nothing is wasted. Not a single thing is wasted from the animal. The blood from the animals is collected, evaluated and used as dried plasma and other blood products. All the organs and stomach parts are used. The hides get tanned, the bones are processed, the fat is filtered into high-quality tallow—and the list goes on. Not a single part is wasted.

This is a great industry that has a great future in the electorate of Oxley as a major employer and economic driver. I encourage government to look carefully at the benefits that such exporters bring to our local regions and at the contributions that they make. While the majority of the industry agreed with the AMH model which was rejected by the minister, they have decided not to pursue the matter any further and to get on with the business of producing and exporting. I would like to congratulate AMH for the very sensible and accommodating stand that they have taken in relation to US beef quotas by not challenging the position of the minister and by allowing the industry to move on. They felt it was more important that the industry get on with the job rather than continue its battle in terms of beef quotas. I congratulate them for their stand. I congratulate all the workers at AMH for doing such a fine job. (Time expired)

Environment: Water Management

Mr KING (Wentworth) (10.38 p.m.)—As we meet tonight, many parts of Australia are in the grip of a terrible drought. For us in this country, water is a conundrum. We are surrounded by it but we can never get enough of it. It is more precious than gold, yet we have put more effort into goldmining than into water extraction or water retention. It is the stuff of many myths of the Dreamtime and of the dreams of many new myth-makers like Breaker Morant and the jolly swagman. But those dreams of plenitude have not been turned into reality. It is appropriate, therefore, that the parliament recognise that this is National Water Week. It lasts from 20 to 26 October. This year it will culminate in a special concert, to be held at the SuperDome at Homebush Olympic site in Sydney on Saturday, 26 October. The purpose of that important event is to promote long-term solutions to Australia’s massive water problems.

I wish to acknowledge at the outset those who are involved in this important national project. It is not being organised by government but by private enterprise—by people who are concerned that not enough is being done by those in the public sphere to ensure that drought and the issues facing those who need water are properly addressed. The new project is called Farmhand. The Farmhand Foundation has only recently been formed to provide immediate relief to people suffering the effects of drought and to promote long-term strategies to help drought-proof Australian agriculture. We have heard such proposals before, but this time we have some very serious interests standing behind the project. It deserves to be recognised and given full support in this place.

The Farmhand Foundation principals include Mr Sam Chisholm, the chairman of Foxtel; Mr John Hartigan, the CEO of News Ltd; Mr Alan Jones, the radio broadcaster; Mr Bob Mansfield, the chairman of Telstra; CPH chairman Mr Kerry Packer; Mr Richard Pratt of Visy Industries; and Mr John Singleton of STW. That rollcall indicates the seriousness of purpose of those involved in this very important project. It is the largest private sector group ever formed to tackle such a national issue. It is asking all Australians to join in a fundraising appeal which will start this weekend, very appropriately, at the end of National Water Week. The web site can be found at www.farmhand.org.au, at which portal it is possible to make a donation
to this important national project. I encourage not only those in my electorate but others to do so. On the web site, Bob Mansfield, the chairman of the foundation, says:

Australians have long lived with the harsh effects of drought. The impact of the current dry has left thousands of Australians struggling to sustain themselves and their families in the face of failing crops, distressed stock, high feed prices and of course a lack of water. All this even before the start of the long, hot months of summer.

Both of my brothers are in that very situation. They are both farmers. They are both, with their families, facing a very difficult situation at present. But I do not rise to speak simply because of them on this important occasion and given this opportunity to draw attention to this important project; I do so because I know that there are many others like them all around this country, especially on the eastern seaboard.

The projects that will be addressed by this group—and by others who are no doubt very concerned that we do our best to ensure that this problem never happens again—are well known. I referred to some of them in my maiden speech earlier this year. We need to address some of the big ideas to build the nation, and one of those must be to conserve water. There has been talk about turning back the northern rivers. There is talk about building a system of inland canals based on the Ord or other systems. There is talk about encasing the existing water channels in PVC or other encasements to prevent evaporation. There is also talk, based upon projects that have been found to be successful in the Middle East—and some of them I have seen personally—of efficient new methods of irrigation. Each of them needs to be examined. They all need to be assessed in the light of what is feasible and effective in this country. Not only do we have to ensure that our arid interior has a new deal, we also need to clean up the inland river system. Refreshing the inland rivers is an important priority. In the city, we need to address issues of water conservation as well. In conclusion, I support those who are doing what they can to conserve water in this country. (Time expired)

National Accreditation Authority for Translators and Interpreters Ltd

Mr LAURIE FERGUSON (Reid) (10.44 p.m.)—I rise to convey concern about the management and standing of the National Accreditation Authority for Translators and Interpreters Ltd, NAATI, which is a body partly funded and partly owned by the Commonwealth government. The cultural and linguistic diversity of the Australian community means that translators and interpreters play a vital role in our community life. They are utilised by a wide variety of courts and tribunals; by the Commonwealth, state and local governments; by non-government agencies; and by doctors, lawyers and other professionals. The Commonwealth has long provided its own service in the form of the Translating and Interpreting Service, TIS. These interpreters are crucial to the integrity of our migration policy and our national security. The wide diversity of our population and the small numbers in some ethnic communities mean that integrity in the interpreting system is all the more crucial with regard to the employment of people, their qualifications and having in the system the right people whom we can trust.

Once the use of translators and interpreters became more widespread in the 1970s, a need was identified for a national mechanism to independently test and accredit their skills. NAATI was established in 1977. It administers a four-level accreditation system and publishes a directory of accredited interpreters and translators. NAATI is in fact a company limited by guarantee under the Corporations Law, owned by the Commonwealth, state and territory governments. It is managed by a board of directors appointed by the owners and by the executive director, who is also the company secretary. The Commonwealth, through the Department of Immigration and Multicultural and Indigenous Affairs, provides it with annual funding of more than $400,000 and is represented on the NAATI board. Despite the funding it receives from taxpayers, NAATI does not report annually to the parliament or to the public.

I have become very concerned to hear an extremely diverse range of criticisms of
NAATI’s performance in recent years. These criticisms broadly cover poor business and administrative practices; strained relationships with relevant stakeholder groups, such as the relevant professional association, AUSIT; unresolved problems with its IT system, hampering the operations of its regional offices; excessive centralisation of power in the position of the executive director, apparently contributing to poor morale, extremely high and unacceptable staff turnover and widespread sackings; and virtually automatic threat of legal and other retaliatory action against those who have attempted to convey concerns to board members—legal action is threatened at the drop of a hat.

I cannot, of course, vouch for the complete accuracy of all the criticisms that have been made. It does appear, however, that something of a siege mentality exists at the top of NAATI. Positive suggestions for change appear not to be welcomed; they appear, in fact, to be actively discouraged. Letters of concern are likely to be met with a reply from the organisation’s solicitors, a large national law firm. The relevant ministerial council was sufficiently disturbed to set up a subcommittee to conduct a review of the role and structure of NAATI. This review has now been completed and some changes have apparently been made to the articles of association and the board.

It concerns me that parliament and the interpreting community are being kept in the dark about these matters. While the existence of the review was given a cursory mention in DIMIA’s latest annual report, the findings and recommendations of the review have not been made public. One searches in vain for any public comments by the Minister for Citizenship and Multicultural Affairs or the Department of Immigration and Multicultural and Indigenous Affairs on the current state of play. NAATI’s annual report is equally not publicly available, so we do not know its current staffing profile or how much it has been spending on legal fees. NAATI’s own web site does not even make any reference to the review commissioned by the ministerial council, nor does it list the current board of directors. Frankly, this is not good enough. I understand the organisation’s annual general meeting is to be held shortly, behind closed doors. Given the concerns that have been conveyed to me, the Minister for Citizenship and Multicultural Affairs needs to clarify his position on the findings of the review and indicate what stance the Commonwealth will be taking at the AGM.

**Indonesia: Terrorist Attacks**

FRAN BAILEY (McEwen—Parliamentary Secretary to the Minister for Defence) (10.48 p.m.)—I really appreciate the opportunity to be able to stand here in this House and place on record my reflections and my feelings on what happened just over a week ago in Bali. Australians awoke early on the Sunday morning to find out the terrible tragedy had occurred; that senseless, barbaric act of terrorism that has taken the lives of so many Australian citizens—tragically, we still do not know the final figure—the lives of many other people from many countries around the world and, of course, the lives of so many local Balinese people. It was a rude awakening for Australians.

Yesterday, like so many of my colleagues on both sides of this House, I attended functions in my own electorate. In particular, I want to mention the function I attended at Seymour in my electorate. Yesterday was the Seymour Cup. This is a day of great rejoicing. It is a day when the whole region around Seymour and the local large Army establishment at Puckapunyal come together for a day of fun and activities. There was a very large crowd there, and that crowd, like so many other gatherings that came together all around our nation yesterday, stood united, bowing their heads in silence for a minute to reflect on the terrible loss of Australian lives, the loss of lives of people from many other countries and the loss of so many Balinese lives.

In talking to so many people yesterday at that event, I could not help but be moved by their united spirit. They really wanted to pay tribute and they wanted our nation to know that they too mourned the loss of those lives. But they were mourning something else as well. They were really articulating to me that what has taken a major battering here in Australia is the happy-go-lucky, easy, friendly, casual Australian way of life. As so
many people have expressed, and as the Prime Minister expressed so eloquently here and in many other places, Bali, like a number of other places, has traditionally been a place where young Australians go to party, to let their hair down, to have fun. That is very much part of our Australian way of life: to enjoy the surf, the sun, the sand and then the partying during the night. Australians—in many ways probably more so than many other people—have taken that as an intrinsic part of our Australian way of life, and that really has been threatened, which is very sad.

As well as reflecting on that, what the people in my electorate have been saying to me is, ‘We’re going to get on with life. The people who gave their lives so tragically, who had their lives snuffed out on that terrible night, were the sorts of young Australians who would really want us as a nation to get on with things.’ That is what the people in Seymour and the surrounding district were doing yesterday, and I commend them for that.

Finally, I want to pay tribute to all the Australian and other volunteers who came readily to assist in Bali at the time of the tragedy—and many of them are still working there—to all the absolutely superb doctors, nurses and allied health workers who are doing such a fantastic job and to the men and women of our Australian Defence Force, who have done a superb job as well. (Time expired)

Veterans’ Home Care Scheme

Mr SIDEBOTTOM (Braddon) (10.53 p.m.)—I would like to bring to the attention of the parliament the current reduction in the Veterans’ Home Care scheme, which is hitting veterans in regional areas across Australia and, in particular, in my electorate of Braddon on the north-west coast of Tasmania. This scheme, which provides domestic assistance to thousands of veterans across the country, was developed and rushed through just prior to the last federal election and was hailed by the federal government as a dream scheme to allow veterans to stay in their homes rather than being forced into nursing or aged care facilities. Now, funding for the scheme is being cut in what is being called in admin speak a ‘redistribution’. Effectively, money is being taken from regional areas and channeled into metropolitan areas. I suspect the real reason for this is either that the department has been overspending its budget, it is hiving the funds off into other areas or the funding is being cut back by a razor gang desperately seeking ways of saving government funds to offset an impending Commonwealth deficit. Whatever the case, the cuts are unfair and are an attack on the veteran community.

The north-west coast of Tasmania received $311,000 in funding in the 2001-02 financial year, and I believe there was a further top-up. This year, the north-west coast is receiving only $228,000—a cut of $83,000, which is a considerable sum in my region, and a cut in services. According to providers, the reality of this is that now there is not enough money to renew existing contracts, let alone to consider contracts for new clients. While the Department of Veterans’ Affairs remains tight-lipped about the changes—indeed, my office has still not had its calls returned on the matter after several days—service providers for the scheme in regional areas were notified in September, three months into this financial year, that their funding was being cut. What sort of administration is this? What type of planning can service providers bank on with this sort of administrative shock tactic? Equally, what about the recipients of the service?

On the north-west coast of Tasmania, funding has been cut by one-third, leaving the 300 veterans who access the scheme with significantly reduced domestic assistance. I understand service providers are attempting to assist veterans by helping them to be reabsorbed into the Home and Community Care program, or HACC, where possible. However, I am reliably informed by relevant providers that access to the HACC program is seriously hampered by gaps in waiting lists. For many veterans, it has meant a reduction in assistance from one hour a week to just one hour a fortnight. The home maintenance assistance, which was aimed at keeping veterans’ homes safe and habitable, has gone altogether. That assistance included, for example, cutting back plants and bushes near
home security areas and sweeping paths to make them safe et cetera.

The Veterans’ Home Care scheme was embraced by veterans as something of a saviour for providing a degree of quality to their lives. A veteran in my electorate, Darryl Dick, of Wynyard, said the reduction has had a significant impact on his life and on that of his wife—a sentiment expressed by many. Darryl suffers from chronic headaches and neck pain and only three weeks ago suffered heart problems, which led to increased blood pressure. His wife is unable to do any domestic cleaning because she has a double neck fusion and an implanted morphine infusion pump for her lower back pain. She suffers from lymphodema in both legs and her right arm and relies on a wheelchair. Darryl’s condition makes it impossible for him to vacuum because the vibration of the vacuum cleaner causes an increase in pain. He said:

With this increase in pain level, my life takes a turn for the worse. My pain causes increased depressive episodes.

He went on to say:

It is not easy living in our home with both of us suffering chronic pain and other illnesses, but to have someone to do the basic cleaning tasks makes our lives just that little bit better.

Another veteran, 82-year-old Fendall Gardam, who is the state Vice-President of the Ex-Prisoners of War Association, is disgusted by what he calls the ‘penny-pinching treatment’ they are receiving. He is reported in my daily newspaper, the Advocate, as saying:

I think it is a pretty miserable situation ... The Federal Government came out with great fanfare, press statements and glossy brochures telling everyone how good they were going to be to the old Diggers. Then a matter of months later you get the chop.

The thoughts of Darryl Dick and Fendall Gardam have been echoed throughout my electorate since they received notification of the cutbacks. I urge the government to reinstate funding and ensure ongoing domestic assistance to our veterans. It was a promise and it must be honoured, for our veterans deserve nothing less.

Question agreed to.

House adjourned at 10.59 p.m.
QUESTIONS ON NOTICE

The following answers to questions were circulated:

**Immigration: Detention Centres**

(Question No. 642)

Ms Gillard asked the Minister for Immigration and Multicultural and Indigenous Affairs, upon notice, on 19 August 2002:

Was his Department about to close the centre at Port Hedland in 1997; if so, what evidence did his Department have on the growth in numbers of Afghan and Iraqi asylum seekers and when did it have this evidence.

Mr Ruddock—The answer to the honourable member’s question is as follows:

Due to the decline in unauthorised boat arrivals from 1995-96 to 1997-98 consideration was being given to mothballing of the Port Hedland centre. With the unpredictable growth in numbers the following year these plans were set aside.

The Department noticed an increase in numbers from the Middle-East from mid 1999 when 213 Unauthorised Boat arrivals of Middle-Eastern origin arrived in August. There was no earlier evidence available to the Department.

**Immigration: Distinguished Talent Category**

(Question No. 706)

Mr McMullan asked the Minister for Immigration and Multicultural and Indigenous Affairs, upon notice, on 19 August 2002:

(1) Are the fields and professions of science, chemistry or academia eligible for consideration for permanent residency status under the Distinguished Talent Category; if not, why not.

(2) What other occupations are eligible to be considered under the Distinguished Talent Category.

(3) How many applications have been lodged under the Distinguished Talent Category in the past 12 months and what were the occupations of the applicants.

(4) How many of these applications were successful and what were the occupations.

(5) If no applications were received in the past 12 months, when was the most recent successful application made under the Distinguished Talent Category and under what occupation was it considered.

Mr Ruddock—The answer to the honourable member’s question is as follows:

(1) Yes, the fields of ‘science, chemistry or academia’ are eligible for consideration under the Distinguished Talent category, although they are not explicitly identified as such.

(2) There is no specific list of occupations covered under this category. The Migration Regulations require that an applicant has an exceptional record of achievement in an occupation, profession or activity, or has a record of outstanding achievement, and is still prominent, in the arts or sport. These are considered on a case-by-case basis.

(3) In 2001-2002, there were 145 applications for the Distinguished Talent visa. From the information available, the occupational breakdown is as follows:

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<td>Sports Coach</td>
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<td>Artistic performer</td>
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<td>Artist/Artisan</td>
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<td>Academic</td>
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In 2001-2002, 78 applications were successful.

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<tr>
<td>Film/TV, radio &amp; stage director</td>
<td>2</td>
</tr>
<tr>
<td>Manager</td>
<td>2</td>
</tr>
<tr>
<td>Novelist</td>
<td>2</td>
</tr>
<tr>
<td>Psychologist</td>
<td>2</td>
</tr>
<tr>
<td>Other</td>
<td>18</td>
</tr>
</tbody>
</table>

See answers to parts (3) and (4).

Commonwealth Funded Programs
(Question No. 736)

Ms Burke asked the Minister for Trade, upon notice, on 19 August 2002:
(1) Does the Minister administer any Commonwealth funded programs for which community organisations or businesses can apply for funding.
(2) If so, what are these programs.
(3) Does the Minister’s Department advertise these funding opportunities.
(4) In the electoral divisions of (a) Chisholm, (b) Aston, (c) Deakin, (d) Latrobe and (e) Casey in (i) 1996-97, (ii) 1997-98, (iii) 1998-99, (iv) 1999-2000, (v) 2000-2001 and (vi) 2001-2002, for each of the programs listed in part (2), (A) what was the name and postal address of each organisation that sought funding from the Commonwealth, (B) what was the purpose of the funding sought in each case and (C) for successful applications, what was the level of funding provided.

Mr Vaile—The answer to this question is the same as that given to Question No 739 by the Minister for Foreign Affairs on behalf of the Foreign Affairs and Trade portfolio.

Commonwealth Funded Programs
(Question No. 739)

Ms Burke asked the Minister for Foreign Affairs, upon notice, on 19 August 2002:
(1) Does the Minister administer any Commonwealth funded programs for which community organisations or businesses can apply for funding.
(2) If so, what are these programs.
(3) Does the Minister’s Department advertise these funding opportunities.
(4) In the electoral divisions of (a) Chisholm, (b) Aston, (c) Deakin, (d) Latrobe and (e) Casey in (i) 1996-97, (ii) 1997-98, (iii) 1998-99, (iv) 1999-2000, (v) 2000-2001 and (vi) 2001-2002, for each of the programs listed in part (2), (A) what was the name and postal address of each organisation that sought funding from the Commonwealth, (B) what was the purpose of the funding sought in each case and (C) for successful applications, what was the level of funding provided.
Mr Downer—On behalf of the Foreign Affairs and Trade portfolio, the answer to the honourable member’s question is as follows:

Outlined below are responses to (1) to (3) relevant to the agencies within my portfolio. However, as regards (4) of the question, I am not prepared to authorise the expenditure of resources and effort that would be involved in breaking down the information sought into the electoral divisions requested.

DFAT

(1) Yes.

(2) Australia-Indonesia Institute (AII)
   Youth and Education Programme
   Media Programme
   Australian Studies Programme
   Inter-faith Programme
   Civil Society Programme
   Arts and Sport Programme
   Professions and Institutions Programme

Australia-India Council (AIC)
   Discretionary Grants Programme

Australia-Korea Foundation (AKF)
   Discretionary Grants Programme

Australia-China Council (ACC)
   ACC Short Term Study Programme
   Young Scholars Programme
   Young Business Scholars Programme
   Beijing and Taipei Residency Awards
   Discretionary Cultural and Business Grants

(3) The funding opportunities are advertised on the various councils’ and institute’s websites. Scholarship programmes supported by the AII are advertised in the national media. From time to time some ACC programmes are advertised in the national press. Expressions of interest for grant funding from the AKF are advertised in “The Australian”.

AusAID:

(1) Yes.

(2) The programmes open to Australian community organisations or businesses are:
   AusAID NGO Cooperation Program (ANCP)
   Country and Regional NGO Programs
   Australian Community and Professional Development Scheme (ACPDS)
   International Support Seminar Scheme (ISSS)
   Volunteer programme
   Australian Youth Ambassadors for Development program (AYAD).

(3) Yes. These funding opportunities are advertised on AusAID’s website and, in the case of ACPDS, in the press.

Austrade:

(1) Yes.

(2) These programs are the Export Market Development Grants (EMDG) scheme and the New Exporter Development Program.

(3) Yes.
Ms Burke asked the Attorney-General and the Minister representing the Minister for Justice and Customs, upon notice, on 19 August 2002:

(1) Does the Minister administer any Commonwealth funded programs for which community organisations or businesses can apply for funding.
(2) If so, what are these programs.
(3) Does the Minister’s Department advertise these funding opportunities.
(4) In the electoral divisions of (a) Chisholm, (b) Aston, (c) Deakin, (d) Latrobe and (e) Casey in (i) 1996-97, (ii) 1997-98, (iii) 1998-99, (iv) 1999-2000, (v) 2000-2001 and (vi) 2001-2002, for each of the programs listed in part (2), (A) what was the name and postal address of each organisation that sought funding from the Commonwealth, (B) what was the purpose of the funding sought in each case and (C) for successful applications, what was the level of funding provided.

Mr Williams—The answer to the honourable member’s question is as follows:

(1) Yes.
(2) (i) Grants to Australian Organisations Program. (ii) The Commonwealth Community Legal Services Program
(3) (i) No. (ii) The Department initiates or conducts a tender process by advertising in local and national newspapers to select a new service provider when additional funding is made available for a new service, or when an existing service ceases to operate.
(4) I am not prepared to authorise the expenditure of resources and effort that would be involved in breaking down the information sought into the electoral divisions requested.

Ms Burke asked the Attorney-General and the Minister representing the Minister for Justice and Customs, upon notice, on 19 August 2002:

(1) Does the Minister administer any Commonwealth funded programs for which community organisations or businesses can apply for funding.
(2) If so, what are these programs.
(3) Does the Minister’s Department advertise these funding opportunities.
(4) In the electoral divisions of (a) Chisholm, (b) Aston, (c) Deakin, (d) Latrobe and (e) Casey in (i) 1996-97, (ii) 1997-98, (iii) 1998-99, (iv) 1999-2000, (v) 2000-2001 and (vi) 2001-2002, for each of the programs listed in part (2), (A) what was the name and postal address of each organisation that sought funding from the Commonwealth, (B) what was the purpose of the funding sought in each case and (C) for successful applications, what was the level of funding provided.

Mr Williams—The answer to the honourable member’s question is as follows:

(1) Yes.
(2) (i) Grants to Australian Organisations Program. (ii) The Commonwealth Community Legal Services Program
(3) (i) No. (ii) The Department initiates or conducts a tender process by advertising in local and national newspapers to select a new service provider when additional funding is made available for a new service, or when an existing service ceases to operate.
(4) I am not prepared to authorise the expenditure of resources and effort that would be involved in breaking down the information sought into the electoral divisions requested.

Ms Burke asked the Minister for Small Business and Tourism, upon notice, on 19 August 2002:

Commonwealth Funded Programs
(Question No. 753)

Ms Burke asked the Minister for Small Business and Tourism, upon notice, on 19 August 2002:
(1) Does the Minister administer any Commonwealth funded programs for which community organisations or businesses can apply for funding.

(2) If so, what are these programs.

(3) Does the Minister’s Department advertise these funding opportunities.

(4) In the electoral divisions of (a) Chisholm, (b) Aston, (c) Deakin, (d) Latrobe and (e) Casey in (i) 1996-97, (ii) 1997-98, (iii) 1998-99, (iv) 1999-2000, (v) 2000-2001 and (vi) 2001-2002, for each of the programs listed in part (2), (A) what was the name and postal address of each organisation that sought funding from the Commonwealth, (B) what was the purpose of the funding sought in each case and (C) for successful applications, what was the level of funding provided.

Mr Hockey—The answer to the honourable member’s question is as follows:
Small business and tourism are part of the industry, tourism and resources portfolio. Information in respect of small business and tourism programs has been incorporated in the answer to Parliamentary Question No. 0749.

Department of Employment and Workplace Relations: Staffing
(Question No. 803)

Mr Martin Ferguson asked the Minister for Employment and Workplace Relations, upon notice on, 20 August 2002:

(1) How many (a) full time permanent staff, (b) part time permanent staff, (c) full time contract staff and (d) part time contract staff were employed by (i) the Minister’s Department and (ii) agencies within the Minister’s portfolio as at (A) 30 March 1996 and (B) 30 June 2002.

(2) For each category of engagement referred to in part (1) and employed by (a) the Minister’s department and (b) agencies within the Minister’s portfolio, where were such persons located in (i) 30 March 1996 and (ii) 30 June 2002.

Mr Abbott—The answer to the honourable member’s question is as follows:

In relation to the Department of Employment and Workplace Relations (DEWR):

(1) (A) The information sought by the honourable member in relation to part (1)(A) and part (2)(i) of his question is not readily available and I am not prepared to authorise the use of the resources that would be required to provide that information. I am able to inform the honourable member, however, that data on APS staffing as at 30 June 1996 is contained in the Australian Public Service Statistical Bulletin 1995-1996 which is publicly available.

The honourable member should be aware, however, that changes in APS functions and administrative arrangements between 1996 and 2002 may render direct comparisons between the data for those years invalid.

(B) (a) Full time permanent 1696
(b) Part time permanent 131
(c) Full time non ongoing 101
(d) Part time non ongoing 29

(2) (i) See (1) (A) above.

(ii) Location of DEWR (a) Full time permanent staff:

<table>
<thead>
<tr>
<th>Location</th>
<th>Staff</th>
</tr>
</thead>
<tbody>
<tr>
<td>Adelaide</td>
<td>51</td>
</tr>
<tr>
<td>Alice Springs</td>
<td>4</td>
</tr>
<tr>
<td>Bendigo</td>
<td>23</td>
</tr>
<tr>
<td>Brisbane</td>
<td>68</td>
</tr>
<tr>
<td>Broken Hill</td>
<td>1</td>
</tr>
<tr>
<td>Cairns</td>
<td>1</td>
</tr>
<tr>
<td>Canberra</td>
<td>1126</td>
</tr>
<tr>
<td>Darwin</td>
<td>35</td>
</tr>
<tr>
<td>Geelong</td>
<td>4</td>
</tr>
<tr>
<td>Geraldton</td>
<td>1</td>
</tr>
</tbody>
</table>
Hobart 26
Katherine 2
Kempsey 1
Melbourne 130
Mt Isa 1
Newcastle 5
Orange 6
Perth 57
Pt Augusta 2
Sydney 122
Tamworth 1
Toowoomba 1
Townsville 15
Wollongong 13

(2) (ii) Location of DEWR (b) Part time permanent staff:
Adelaide 4
Brisbane 3
Canberra 88
Darwin 1
Hobart 1
Melbourne 19
Newcastle 1
Orange 1
Perth 5
Sydney 5
Wollongong 3

(2) (ii) Location of DEWR (c) Full time non ongoing:
Bendigo 3
Brisbane 3
Canberra 71
Hobart 5
Melbourne 6
Perth 2
Sydney 5
Townsville 2
Wollongong 4

(2) (ii) Location of DEWR (d) Part time non ongoing:
Adelaide 1
Bendigo 1
Brisbane 1
Canberra 11
Melbourne 8
Newcastle 1
Perth 1
Sydney 4
Wollongong 1
In relation to the Office of the Employment Advocate (OEA):

(1) (A) The information sought by the honourable member in relation to part (1)(A) and part (2)(i) of his question is not readily available and I am not prepared to authorise the use of the resources that would be required to provide that information. I am able to inform the honourable member, however, that data on APS staffing as at 30 June 1996 is contained in the Australian Public Service Statistical Bulletin 1995-1996 which is publicly available.

The honourable member should be aware, however, that changes in APS functions and administrative arrangements between 1996 and 2002 may render direct comparisons between the data for those years invalid.

(B) (a) Full time permanent 101
    (b) Part time permanent 5
    (c) Full time non ongoing 1
    (d) Part time non ongoing 1

(2) (i) See (1) (A) above.

(2) (ii) Location of OEA (a) Full time permanent staff:
        National Office (Sydney) 43
        Sydney 11
        Melbourne 15
        Hobart 1
        Adelaide 6
        Perth 7
        Darwin 3
        Brisbane 15

(2) (ii) Location of OEA (b) Part time permanent staff:
        Melbourne 2
        National office (Sydney) 1
        Perth 1
        Brisbane 1

(2) (ii) Location of OEA (c) Full time non ongoing:
        National Office (Sydney) 1

(2) (ii) Location of OEA (d) Part time non ongoing:
        Adelaide 1

In relation to Comcare:

(1) (A) The information sought by the honourable member in relation to part (1)(A) and part (2)(i) of his question is not readily available and I am not prepared to authorise the use of the resources that would be required to provide that information. I am able to inform the honourable member, however, that data on APS staffing as at 30 June 1996 is contained in the Australian Public Service Statistical Bulletin 1995-1996 which is publicly available.

The honourable member should be aware, however, that changes in APS functions and administrative arrangements between 1996 and 2002 may render direct comparisons between the data for those years invalid.

(B) (a) Full time permanent 244
    (b) Part time permanent 28
    (c) Full time non ongoing 38
    (d) Part time non ongoing 4

(2) (i) See (1) (A) above.

(2) (ii) Location of Comcare (a) Full time permanent staff:
        ACT 183
        VIC 46
        NSW 7
(2) (ii) Location of Comcare (b) Part time permanent staff:

<table>
<thead>
<tr>
<th>Location</th>
<th>Staff</th>
</tr>
</thead>
<tbody>
<tr>
<td>ACT</td>
<td>24</td>
</tr>
<tr>
<td>VIC</td>
<td>4</td>
</tr>
</tbody>
</table>

(2) (ii) Location of Comcare (c) Full time non ongoing:

<table>
<thead>
<tr>
<th>Location</th>
<th>Staff</th>
</tr>
</thead>
<tbody>
<tr>
<td>ACT</td>
<td>32</td>
</tr>
<tr>
<td>VIC</td>
<td>6</td>
</tr>
</tbody>
</table>

(2) (ii) Location of Comcare (d) Part time non ongoing:

<table>
<thead>
<tr>
<th>Location</th>
<th>Staff</th>
</tr>
</thead>
<tbody>
<tr>
<td>ACT</td>
<td>2</td>
</tr>
<tr>
<td>VIC</td>
<td>2</td>
</tr>
</tbody>
</table>

In relation to the Defence Force Remuneration Tribunal (DFRT):

(1) (A) The information sought by the honourable member in relation to part (1)(A) and part (2)(i) of his question is not readily available and I am not prepared to authorise the use of the resources that would be required to provide that information. I am able to inform the honourable member, however, that data on APS staffing as at 30 June 1996 is contained in the Australian Public Service Statistical Bulletin 1995-1996 which is publicly available.

The honourable member should be aware, however, that changes in APS functions and administrative arrangements between 1996 and 2002 may render direct comparisons between the data for those years invalid.

(B) (a) Full time permanent staff: 3

(2) (i) See (1) (A) above.

(2) (ii) Location of DFRT (a) Full time permanent staff:

Canberra City 4

In relation to the Australian Industrial Registry (AIR)

(1) (A) The information sought by the honourable member in relation to part (1)(A) and part (2)(i) of his question is not readily available and I am not prepared to authorise the use of the resources that would be required to provide that information. I am able to inform the honourable member, however, that data on APS staffing as at 30 June 1996 is contained in the Australian Public Service Statistical Bulletin 1995-1996 which is publicly available.

The honourable member should be aware, however, that changes in APS functions and administrative arrangements between 1996 and 2002 may render direct comparisons between the data for those years invalid.

(B) (a) Full time permanent staff: 173

(b) Part time permanent staff 5

(c) Full time non ongoing 25

(d) Part time non ongoing 2

(2) (i) See (1) (A) above.

(2) (ii) Location of AIR (a) Full time permanent staff:

<table>
<thead>
<tr>
<th>Location</th>
<th>Staff</th>
</tr>
</thead>
<tbody>
<tr>
<td>Melbourne</td>
<td>115</td>
</tr>
<tr>
<td>Sydney</td>
<td>44</td>
</tr>
<tr>
<td>Canberra</td>
<td>4</td>
</tr>
<tr>
<td>Perth</td>
<td>1</td>
</tr>
<tr>
<td>Brisbane</td>
<td>2</td>
</tr>
<tr>
<td>Adelaide</td>
<td>1</td>
</tr>
<tr>
<td>Hobart</td>
<td>3</td>
</tr>
<tr>
<td>Darwin</td>
<td>3</td>
</tr>
</tbody>
</table>
(2) (ii) Location of AIR (b) Part time permanent staff:
   Melbourne 4
   Brisbane 1

(2) (ii) Location of AIR (c) Full time non ongoing:
   Melbourne 13
   Sydney 6
   Canberra 1
   Perth 4
   Brisbane 1

(2) (ii) Location of AIR (d) Part time non ongoing:
   Brisbane 1
   Adelaide 1

In relation to Equal Opportunity for Women in the Workplace Agency (EOWA)

1. (A) The information sought by the honourable member in relation to part (1)(A) and part (2)(i) of his question is not readily available and I am not prepared to authorise the use of the resources that would be required to provide that information. I am able to inform the honourable member, however, that data on APS staffing as at 30 June 1996 is contained in the Australian Public Service Statistical Bulletin 1995-1996 which is publicly available.

   The honourable member should be aware, however, that changes in APS functions and administrative arrangements between 1996 and 2002 may render direct comparisons between the data for those years invalid.

   (B) (a) Full time permanent staff 21
       (b) Part time permanent staff 4
       (c) Full time non ongoing 6
       (d) Part time non ongoing 2

2. (i) See (1) (A) above.

2. (ii) Location of EOWA (a) Full time permanent staff:
   Sydney 20
   Gold Coast Qld 1

2. (ii) Location of EOWA (b) Part time permanent staff:
   Sydney 4

2. (ii) Location of EOWA (c) Full time non ongoing:
   Sydney 6

2. (ii) Location of EOWA (d) Part time non ongoing:
   Sydney 2

In relation to the National Occupational Health and Safety Commission (NOHSC)

1. (A) The information sought by the honourable member in relation to part (1)(A) and part (2)(i) of his question is not readily available and I am not prepared to authorise the use of the resources that would be required to provide that information. I am able to inform the honourable member, however, that data on APS staffing as at 30 June 1996 is contained in the Australian Public Service Statistical Bulletin 1995-1996 which is publicly available.

   The honourable member should be aware, however, that changes in APS functions and administrative arrangements between 1996 and 2002 may render direct comparisons between the data for those years invalid.

   (B) (a) Full time permanent staff 97
       (b) Part time permanent staff 4
       (c) Full time non ongoing 10
       (d) Part time non ongoing 5
Monday, 21 October 2002

Representatives

(2) (i) See (1) (A) above.

(2) (ii) Location of NOHSC (a) Full time permanent staff:

<table>
<thead>
<tr>
<th>Location</th>
<th>Full Time Permanent Staff</th>
</tr>
</thead>
<tbody>
<tr>
<td>Canberra</td>
<td>60</td>
</tr>
<tr>
<td>Sydney</td>
<td>37</td>
</tr>
</tbody>
</table>

(2) (ii) Location of NOHSC (b) Part time permanent staff:

<table>
<thead>
<tr>
<th>Location</th>
<th>Part Time Permanent Staff</th>
</tr>
</thead>
<tbody>
<tr>
<td>Canberra</td>
<td>3</td>
</tr>
<tr>
<td>Sydney</td>
<td>1</td>
</tr>
</tbody>
</table>

(2) (ii) Location of NOHSC (c) Full time non ongoing:

<table>
<thead>
<tr>
<th>Location</th>
<th>Full Time Non Ongoing</th>
</tr>
</thead>
<tbody>
<tr>
<td>Canberra</td>
<td>5</td>
</tr>
<tr>
<td>Sydney</td>
<td>5</td>
</tr>
</tbody>
</table>

(2) (ii) Location of NOHSC (d) Part time non ongoing:

<table>
<thead>
<tr>
<th>Location</th>
<th>Part Time Non Ongoing</th>
</tr>
</thead>
<tbody>
<tr>
<td>Canberra</td>
<td>2</td>
</tr>
<tr>
<td>Sydney</td>
<td>3</td>
</tr>
</tbody>
</table>

Education, Science and Training: Staffing

(Question No. 810)

Mr Martin Ferguson asked the Minister for Education, Science and Training, and the Minister for Science, upon notice, on 20 August 2002:

(1) How many (a) full time permanent staff, (b) part time permanent staff, (c) full time contract staff and (d) part time contract staff were employed by (i) the Minister’s Department and (ii) agencies within the Minister’s portfolio as at (A) 30 March 1996 and (B) 30 June 2002.

(2) For each category of engagement referred to in part (1) and employed by (a) the Minister’s Department and (b) agencies within the Minister’s portfolio, where were such persons located in (i) 30 March 1996 and (ii) 30 June 2002.

Dr Nelson—The answer to the honourable member’s question is as follows:

(1) (A) 30 March 1996

The information sought by the honourable member in relation to part (1)(A) and part (2)(i) of Mr Ferguson’s question is not readily available and I am not prepared to authorise the use of the resources that would be required to provide that information. I am able to inform the honourable member, however, that data on APS staffing as at 30 June 1996 is contained in the Australian Public Service Statistical Bulletin 1995-1996 which is publicly available.

The honourable member should be aware, however, that changes in APS functions and administrative arrangements between 1996 and 2002 may render direct comparisons between the data for those years invalid.

(1) (B) 30 June 2002

(i) The Department of Education, Science and Training:

(a) Full time permanent staff – 1278
(b) Part time permanent staff – 82
(c) Full time contract staff – 140
(d) Part time contract staff – 22

(ii) Agencies within my portfolio:

(a) Full time permanent staff – 5126
(b) Part time permanent staff – 463
(c) Full time contract staff – 1496
(d) Part time contract staff – 545

(2) (i) 30 March 1996

See (1)(A) above.
(2) (ii) 30 June 2002 (a) and (b) The staffing numbers referred to in the answer to question (1)(B) have been broken down by location and provided in the tabled document.

**TABLE 1**
Staff numbers by category and location for the Department of Education, Science and Training as at 30 June 2002

<table>
<thead>
<tr>
<th>State</th>
<th>Location</th>
<th>Full Time Contract</th>
<th>Part Time Contract</th>
<th>Full Time Permanent</th>
<th>Part Time Permanent</th>
<th>Grand Total</th>
</tr>
</thead>
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<td>ACT</td>
<td>Canberra</td>
<td>86</td>
<td>8</td>
<td>981</td>
<td>74</td>
<td>1149</td>
</tr>
<tr>
<td>ACT Total</td>
<td></td>
<td>86</td>
<td>8</td>
<td>981</td>
<td>74</td>
<td>1149</td>
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<td></td>
<td>Albury</td>
<td>1</td>
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<td>Bateman’s Bay</td>
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<td>1</td>
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<tr>
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<td>Dubbo</td>
<td>1</td>
<td>1</td>
<td></td>
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<td></td>
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<td></td>
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<td></td>
<td>8</td>
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<tr>
<td></td>
<td>Sydney</td>
<td>13</td>
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<td></td>
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<tr>
<td>NSW Total</td>
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<td>6</td>
<td>79</td>
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<td>NT</td>
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<td>6</td>
</tr>
<tr>
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TABLE 2
Staff numbers by category and location for the Australian Research Council as at 30 June 2002

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TABLE 3
Staff numbers by category and location for the Australian National Training Authority as at 30 June 2002

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Staff numbers by category and location for the Australian Nuclear Science and Technology Organisation as at 30 June 2002

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Staff numbers by category and location for the Australian Institute of Marine Science as at 30 June 2002

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Staff numbers by category and location for the Commonwealth Scientific and Industrial Research Organisation as at 30 June 2002

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Health and Ageing: Staffing  
(Question No. 811)

Mr Martin Ferguson asked the Minister for Health and Aging, upon notice, on 20 August 2002:

(1) How many (a) full time permanent staff, (b) part time permanent staff, (c) full time contract staff and (d) part time contract staff were employed by (i) the Minister’s Department and (ii) agencies within the Minister’s portfolio as at (A) 30 March 1996 and (B) 30 June 2002.

(2) For each category of engagement referred to in part (1) and employed by (a) the Minister’s Department and (b) agencies within the Minister’s portfolio, where were such persons located in (i) 30 March 1996 and (ii) 30 June 2002.

Mr Andrews—The Minister for Health and Ageing has provided the following answer to the honourable member’s question on behalf of both the Minister for Health and Ageing and the Minister for Ageing:

(1) (A) The information sought by the honourable member in relation to part (1) (A) and part 2 (a) (i ) and 2 (b) (i) of his question is not readily available and I am not prepared to authorise the use of the resources that would be required to provide that information. I am able to inform the honourable member, however, that data on APS staffing as at 30 June 1996 is contained in the Australian Public Service Statistical Bulletin 1995-96 which is publicly available.

The honourable member should be aware, however, that changes in APS functions and administrative arrangements between 1996 and 2002 may render direct comparisons between the data for those years invalid.

(1) (a) (i) (B) ongoing full time staff: 3037
(1) (b) (i) (B) ongoing part time staff: 317
(1) (c) (i) (B) non-ongoing full time staff: 375
(1) (d) (i) (B) non-ongoing part time staff: 39
(1) (a) (ii) (B) ongoing full time staff: 5338
(1) (b) (ii) (B) ongoing part time staff: 1736
(1) (c) (ii) (B) non-ongoing full time staff: 400
(1) (d) (ii) (B) non-ongoing part time staff: 229
   (i) See (1) (A) above.

(2) (a) (ii) All States and Territories within Australia
(2) (b) (ii) All States and Territories within Australia.

Education, Science and Training: Staffing  
(Question No. 817)

Mr Martin Ferguson asked the Minister for Education, Science and Training, and the Minister for Science, upon notice, on 20 August 2002:
(1) How many (a) full time permanent staff, (b) part time permanent staff, (c) full time contract staff and (d) part time contract staff were employed by (i) the Minister’s Department and (ii) agencies within the Minister’s portfolio as at (A) 30 March 1996 and (B) 30 June 2002.

(2) For each category of engagement referred to in part (1) and employed by (a) the Minister’s Department and (b) agencies within the Minister’s portfolio, where were such persons located in (i) 30 March 1996 and (ii) 30 June 2002.

Dr Nelson—The answer to the honourable member’s question is provided as follows:

(1) (A) 30 March 1996

The information sought by the honourable member in relation to part (1)(A) and part (2)(i) of Mr Ferguson’s question is not readily available and I am not prepared to authorise the use of the resources that would be required to provide that information. I am able to inform the honourable member, however, that data on APS staffing as at 30 June 1996 is contained in the Australian Public Service Statistical Bulletin 1995-1996 which is publicly available.

The honourable member should be aware, however, that changes in APS functions and administrative arrangements between 1996 and 2002 may render direct comparisons between the data for those years invalid.

(1) (B) 30 June 2002

(i) The Department of Education, Science and Training:
   (a) Full time permanent staff – 1278
   (b) Part time permanent staff – 82
   (c) Full time contract staff – 140
   (d) Part time contract staff – 22

(ii) Agencies within my portfolio:
   (a) Full time permanent staff – 5126
   (b) Part time permanent staff – 463
   (c) Full time contract staff – 1496
   (d) Part time contract staff – 545

(2) (i) 30 March 1996

See (1)(A) above.

(2) (ii) 30 June 2002 (a) and (b) The staffing numbers referred to in the answer to question (1)(B) have been broken down by location and provided in the tabled document.

TABLE 1
Staff numbers by category and location for the Department of Education, Science and Training as at 30 June 2002

<table>
<thead>
<tr>
<th>State</th>
<th>Location</th>
<th>Full Time Contract</th>
<th>Part Time Contract</th>
<th>Full Time Permanent</th>
<th>Part Time Permanent</th>
<th>Grand Total</th>
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**TABLE 2**

Staff numbers by category and location for the Australian Research Council as at 30 June 2002

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<th>State</th>
<th>Location</th>
<th>Full Time Contract</th>
<th>Part Time Contract</th>
<th>Full Time Permanent</th>
<th>Part Time Permanent</th>
<th>Grand Total</th>
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**TABLE 3**

Staff numbers by category and location for the Australian National Training Authority as at 30 June 2002

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<th>Part Time Contract</th>
<th>Full Time Permanent</th>
<th>Part Time Permanent</th>
<th>Grand Total</th>
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**TABLE 4**

Staff numbers by category and location for the Australian Nuclear Science and Technology Organisation as at 30 June 2002

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<th>Location</th>
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Staff numbers by category and location for the Australian Institute of Marine Science as at 30 June 2002

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<th>Part Time Contract</th>
<th>Full Time Permanent</th>
<th>Part Time Permanent</th>
<th>Grand Total</th>
</tr>
</thead>
<tbody>
<tr>
<td>Chicago</td>
<td>2</td>
<td>1</td>
<td>3</td>
<td></td>
<td></td>
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</tr>
<tr>
<td>Japan</td>
<td>1</td>
<td>1</td>
<td>2</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Germany</td>
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</tr>
<tr>
<td>OVERSEAS Total</td>
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<td>0</td>
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<td>122</td>
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<td>688</td>
<td>32</td>
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</tr>
</tbody>
</table>

### TABLE 6
Staff numbers by category and location for the Anglo-Australian Observatory as at 30 June 2002

<table>
<thead>
<tr>
<th>State</th>
<th>Location</th>
<th>Full Time Contract</th>
<th>Part Time Contract</th>
<th>Full Time Permanent</th>
<th>Part Time Permanent</th>
<th>Grand Total</th>
</tr>
</thead>
<tbody>
<tr>
<td>NSW</td>
<td>Sydney</td>
<td>17</td>
<td>1</td>
<td>27</td>
<td>2</td>
<td>47</td>
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<tr>
<td>Coonabarabran</td>
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</tr>
<tr>
<td>NSW Total</td>
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<td>Grand Total</td>
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<td>1</td>
<td>49</td>
<td>3</td>
<td>71</td>
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</tr>
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### TABLE 7
Staff numbers by category and location for the Commonwealth Scientific and Industrial Research Organisation as at 30 June 2002

<table>
<thead>
<tr>
<th>State</th>
<th>Location</th>
<th>Full Time Contract</th>
<th>Part Time Contract</th>
<th>Full Time Permanent</th>
<th>Part Time Permanent</th>
<th>Grand Total</th>
</tr>
</thead>
<tbody>
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<td>352</td>
<td>102</td>
<td>833</td>
<td>101</td>
<td>1388</td>
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<td>102</td>
<td>833</td>
<td>101</td>
<td>1388</td>
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<tr>
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<td>9</td>
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<td>Armidale</td>
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<td>Narrabri</td>
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<td>23</td>
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<td>51</td>
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<tr>
<td>State</td>
<td>Location</td>
<td>Full Time Contract</td>
<td>Part Time Contract</td>
<td>Full Time Permanent</td>
<td>Part Time Permanent</td>
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<td>---------------------</td>
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<td>NSW</td>
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</tr>
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<td></td>
<td></td>
<td></td>
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<td></td>
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<td>902</td>
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<td></td>
</tr>
<tr>
<td>NT</td>
<td>Alice Springs</td>
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<td>3</td>
<td>11</td>
<td>2</td>
<td>17</td>
</tr>
<tr>
<td></td>
<td>Darwin</td>
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<td>3</td>
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<td>5</td>
<td>52</td>
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<td>6</td>
<td>16</td>
<td>1</td>
<td>31</td>
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<td></td>
<td>Belmont</td>
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<td>1</td>
<td>4</td>
<td>0</td>
<td>6</td>
</tr>
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<td>55</td>
<td>375</td>
<td>36</td>
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<td></td>
<td>Lawes</td>
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<td>3</td>
<td>1</td>
<td>0</td>
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<td>Rockhampton</td>
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<td>1</td>
<td>12</td>
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<td>4</td>
<td>9</td>
<td>1</td>
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<td>51</td>
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<td>471</td>
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<td>204</td>
<td>27</td>
<td>355</td>
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<td>9</td>
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<td>1294</td>
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<td>4167</td>
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</table>

**Department of Employment and Workplace Relations: Staffing**

(Question No. 820)

Mr Martin Ferguson asked the Minister for Employment Services, upon notice on, 20 August 2002:

(1) How many (a) full time permanent staff, (b) part time permanent staff, (c) full time contract staff and (d) part time contract staff were employed by (i) the Minister’s Department and (ii) agencies within the Minister’s portfolio as at (A) 30 March 1996 and (B) 30 June 2002.

(2) For each category of engagement referred to in part (1) and employed by (a) the Minister’s department and (b) agencies within the Minister’s portfolio, where were such persons located in (i) 30 March 1996 and (ii) 30 June 2002.

Mr Brough—The answer to the honourable member’s question is as follows:
In relation to the Department of Employment and Workplace Relations (DEWR):

(1) (A) The information sought by the honourable member in relation to part (1)(A) and part (2)(i) of his question is not readily available and I am not prepared to authorise the use of the resources that would be required to provide that information. I am able to inform the honourable member, however, that data on APS staffing as at 30 June 1996 is contained in the Australian Public Service Statistical Bulletin 1995-1996 which is publicly available.

The honourable member should be aware, however, that changes in APS functions and administrative arrangements between 1996 and 2002 may render direct comparisons between the data for those years invalid.

(B) (a) Full time permanent 1696
    (b) Part time permanent 131
    (c) Full time non ongoing 101
    (d) Part time non ongoing 29

(2) (i) See (1) (A) above.

(ii) Location of DEWR (a) Full time permanent staff:

Adelaide 51
Alice Springs 4
Bendigo 23
Brisbane 68
Broken Hill 1
Cairns 1
Canberra 1126
Darwin 35
Geelong 4
Geraldton 1
Hobart 26
Katherine 2
Kempsey 1
Melbourne 130
Mt Isa 1
Newcastle 5
Orange 6
Perth 57
Pt Augusta 2
Sydney 122
Tamworth 1
Toowoomba 1
Townsville 15
Wollongong 13

(2) (ii) Location of DEWR (b) Part time permanent staff:

Adelaide 4
Brisbane 3
Canberra 88
Darwin 1
Hobart 1
Melbourne 19
Newcastle 1
Orange 1
Perth 5
Sydney 5
Wollongong 3

(2) (ii) Location of DEWR (c) Full time non ongoing:
Bendigo 3
Brisbane 3
Canberra 71
Hobart 5
Melbourne 6
Perth 2
Sydney 5
Townsville 2
Wollongong 4

(2) (ii) Location of DEWR (d) Part time non ongoing:
Adelaide 1
Bendigo 1
Brisbane 1
Canberra 11
Melbourne 8
Newcastle 1
Perth 1
Sydney 4
Wollongong 1

In relation to the Office of the Employment Advocate (OEA):

(1) (A) The information sought by the honourable member in relation to part (1)(A) and part (2)(i) of
his question is not readily available and I am not prepared to authorise the use of the resources that
would be required to provide that information. I am able to inform the honourable member, how-
ever, that data on APS staffing as at 30 June 1996 is contained in the Australian Public Service
Statistical Bulletin 1995-1996 which is publicly available.

The honourable member should be aware, however, that changes in APS functions and administra-
tive arrangements between 1996 and 2002 may render direct comparisons between the data for
those years invalid.

(B) (a) Full time permanent 101
(b) Part time permanent 5
(c) Full time non ongoing 1
(d) Part time non ongoing 1

(2) (i) See (1) (A) above.

(2) (ii) Location of OEA (a) Full time permanent staff:
National Office (Sydney) 43
Sydney 11
Melbourne 15
Hobart 1
Adelaide 6
Perth 7
In relation to Comcare:

(1) (A) The information sought by the honourable member in relation to part (1)(A) and part (2)(i) of his question is not readily available and I am not prepared to authorise the use of the resources that would be required to provide that information. I am able to inform the honourable member, however, that data on APS staffing as at 30 June 1996 is contained in the Australian Public Service Statistical Bulletin 1995-1996 which is publicly available.

   The honourable member should be aware, however, that changes in APS functions and administrative arrangements between 1996 and 2002 may render direct comparisons between the data for those years invalid.

   (B) (a) Full time permanent 244
       (b) Part time permanent 28
       (c) Full time non ongoing 38
       (d) Part time non ongoing 4

(2) (i) See (1) (A) above.

(2) (ii) Location of Comcare (a) Full time permanent staff:

<table>
<thead>
<tr>
<th>Location</th>
<th>Number</th>
</tr>
</thead>
<tbody>
<tr>
<td>ACT</td>
<td>183</td>
</tr>
<tr>
<td>VIC</td>
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<tr>
<td>NSW</td>
<td>7</td>
</tr>
<tr>
<td>QLD</td>
<td>4</td>
</tr>
<tr>
<td>SA</td>
<td>4</td>
</tr>
</tbody>
</table>

(2) (ii) Location of Comcare (b) Part time permanent staff:

<table>
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<th>Number</th>
</tr>
</thead>
<tbody>
<tr>
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</tr>
<tr>
<td>VIC</td>
<td>4</td>
</tr>
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(2) (ii) Location of Comcare (c) Full time non ongoing:

<table>
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<th>Location</th>
<th>Number</th>
</tr>
</thead>
<tbody>
<tr>
<td>ACT</td>
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</tr>
<tr>
<td>VIC</td>
<td>6</td>
</tr>
</tbody>
</table>

(2) (ii) Location of Comcare (d) Part time non ongoing:

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<th>Number</th>
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<tr>
<td>ACT</td>
<td>2</td>
</tr>
<tr>
<td>VIC</td>
<td>2</td>
</tr>
</tbody>
</table>

In relation to the Defence Force Remuneration Tribunal (DFRT):

(1) (A) The information sought by the honourable member in relation to part (1)(A) and part (2)(i) of his question is not readily available and I am not prepared to authorise the use of the resources that would be required to provide that information. I am able to inform the honourable member, however, that data on APS staffing as at 30 June 1996 is contained in the Australian Public Service Statistical Bulletin 1995-1996 which is publicly available.

<table>
<thead>
<tr>
<th>Location</th>
<th>Number</th>
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<tbody>
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(2) (ii) Location of OEA (b) Part time permanent staff:

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<tbody>
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<tr>
<td>National office (Sydney)</td>
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<td>Perth</td>
<td>1</td>
</tr>
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<td>Brisbane</td>
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(2) (ii) Location of OEA (c) Full time non ongoing:

<table>
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<th>Number</th>
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<tbody>
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(2) (ii) Location of OEA (d) Part time non ongoing:

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<tbody>
<tr>
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<table>
<thead>
<tr>
<th>Location</th>
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</tr>
</thead>
<tbody>
<tr>
<td>ACT</td>
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<td>VIC</td>
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<td>NSW</td>
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<tr>
<td>QLD</td>
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<tr>
<td>SA</td>
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(2) (ii) Location of Comcare (b) Part time permanent staff:

<table>
<thead>
<tr>
<th>Location</th>
<th>Number</th>
</tr>
</thead>
<tbody>
<tr>
<td>ACT</td>
<td>24</td>
</tr>
<tr>
<td>VIC</td>
<td>4</td>
</tr>
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</table>

(2) (ii) Location of Comcare (c) Full time non ongoing:

<table>
<thead>
<tr>
<th>Location</th>
<th>Number</th>
</tr>
</thead>
<tbody>
<tr>
<td>ACT</td>
<td>32</td>
</tr>
<tr>
<td>VIC</td>
<td>6</td>
</tr>
</tbody>
</table>

(2) (ii) Location of Comcare (d) Part time non ongoing:

<table>
<thead>
<tr>
<th>Location</th>
<th>Number</th>
</tr>
</thead>
<tbody>
<tr>
<td>ACT</td>
<td>2</td>
</tr>
<tr>
<td>VIC</td>
<td>2</td>
</tr>
</tbody>
</table>
The honourable member should be aware, however, that changes in APS functions and administrative arrangements between 1996 and 2002 may render direct comparisons between the data for those years invalid.

(B) (a) Full time permanent staff: 3

(2) (i) See (1) (A) above.

(2) (ii) Location of DFRT (a) Full time permanent staff:

Canberra City 4

In relation to the Australian Industrial Registry (AIR)

(1) (A) The information sought by the honourable member in relation to part (1)(A) and part (2)(i) of his question is not readily available and I am not prepared to authorise the use of the resources that would be required to provide that information. I am able to inform the honourable member, however, that data on APS staffing as at 30 June 1996 is contained in the Australian Public Service Statistical Bulletin 1995-1996 which is publicly available.

The honourable member should be aware, however, that changes in APS functions and administrative arrangements between 1996 and 2002 may render direct comparisons between the data for those years invalid.

(B) (a) Full time permanent staff173

(b) Part time permanent staff 5

(c) Full time non ongoing 25

(d) Part time non ongoing 2

(2) (i) See (1) (A) above.

(2) (ii) Location of AIR (a) Full time permanent staff:

Melbourne 115
Sydney 44
Canberra 4
Perth 1
Brisbane 2
Adelaide 1
Hobart 3
Darwin 3

(2) (ii) Location of AIR (b) Part time permanent staff:

Melbourne 4
Brisbane 1

(2) (ii) Location of AIR (c) Full time non ongoing:

Melbourne 13
Sydney 6
Canberra 1
Perth 4
Brisbane 1

(2) (ii) Location of AIR (d) Part time non ongoing:

Brisbane 1
Adelaide 1

In relation to Equal Opportunity for Women in the Workplace Agency (EOWA)

(1) (A) The information sought by the honourable member in relation to part (1)(A) and part (2)(i) of his question is not readily available and I am not prepared to authorise the use of the resources that would be required to provide that information. I am able to inform the honourable member, however, that data on APS staffing as at 30 June 1996 is contained in the Australian Public Service Statistical Bulletin 1995-1996 which is publicly available.
The honourable member should be aware, however, that changes in APS functions and administrative arrangements between 1996 and 2002 may render direct comparisons between the data for those years invalid.

(B) (a) Full time permanent staff 21
(b) Part time permanent staff  4
(c) Full time non ongoing  6
(d) Part time non ongoing  2

(2) (i) See (1) (A) above.
(2) (ii) Location of EOWA (a) Full time permanent staff:
Sydney  20
Gold Coast Qld  1
(2) (ii) Location of EOWA (b) Part time permanent staff:
Sydney  4
(2) (ii) Location of EOWA (c) Full time non ongoing:
Sydney  6
(2) (ii) Location of EOWA (d) Part time non ongoing:
Sydney  2

In relation to the National Occupational Health and Safety Commission (NOHSC)

(1) (A) The information sought by the honourable member in relation to part (1)(A) and part (2)(i) of his question is not readily available and I am not prepared to authorise the use of the resources that would be required to provide that information. I am able to inform the honourable member, however, that data on APS staffing as at 30 June 1996 is contained in the Australian Public Service Statistical Bulletin 1995-1996 which is publicly available.

The honourable member should be aware, however, that changes in APS functions and administrative arrangements between 1996 and 2002 may render direct comparisons between the data for those years invalid.

(B)  (a) Full time permanent 97
(b) Part time permanent  4
(c) Full time non ongoing 10
(d) Part time non ongoing  5

(2) (i) See (1) (A) above.
(2) (ii) Location of NOHSC (a) Full time permanent staff:
Canberra  60
Sydney  37
(2) (ii) Location of NOHSC (b) Part time permanent staff:
Canberra  3
Sydney  1
(2) (ii) Location of NOHSC (c) Full time non ongoing:
Canberra  5
Sydney  5
(2) (ii) Location of NOHSC (d) Part time non ongoing:
Canberra  2
Sydney  3.

Health and Ageing: Staffing
(Question No. 824)

Mr Martin Ferguson asked the Minister representing the Minister for Health and Ageing, upon notice, on 20 August 2002:
(1) How many (a) full time permanent staff, (b) part time permanent staff, (c) full time contract staff and (d) part time contract staff were employed by (i) the Minister’s Department and (ii) agencies within the Minister’s portfolio as at (A) 30 March 1996 and (B) 30 June 2002.

(2) For each category of engagement referred to in part (1) and employed by (a) the Minister’s Department and (b) agencies within the Minister’s portfolio, where were such persons located in (i) 30 March 1996 and (ii) 30 June 2002.

Mr Andrews—The Minister for Health and Ageing has provided the following answer to the honourable member’s question on behalf of both the Minister for Health and Ageing and the Minister for Ageing:

(1) (A) The information sought by the honourable member in relation to part (1) (A) and part 2 (a) (i ) and 2 (b) (i) of his question is not readily available and I am not prepared to authorise the use of the resources that would be required to provide that information. I am able to inform the honourable member, however, that data on APS staffing as at 30 June 1996 is contained in the Australian Public Service Statistical Bulletin 1995-96 which is publicly available.

The honourable member should be aware, however, that changes in APS functions and administrative arrangements between 1996 and 2002 may render direct comparisons between the data for those years invalid.

(1) (a) (i) (B) ongoing full time staff: 3037
(1) (b) (i) (B) ongoing part time staff: 317
(1) (c) (i) (B) non-ongoing full time staff: 375
(1) (d) (i) (B) non-ongoing part time staff: 39
(1) (a) (ii) (B) ongoing full time staff: 5338
(1) (b) (ii) (B) ongoing part time staff: 1736
(1) (c) (ii) (B) non-ongoing full time staff: 400
(1) (d) (ii) (B) non-ongoing part time staff: 229

(i) See (1) (A) above.

(2) (a) (ii) All States and Territories within Australia
(2) (b) (ii) All States and Territories within Australia.

Environment: Natural Heritage Trust  
(Question No. 859)

Ms Jackson asked the Minister for Agriculture, Fisheries and Forestry, upon notice, on 27 August 2002:

(1) Has a decision been made with respect to the ongoing funding of urban landcare projects via the Natural Heritage Trust (NHT) in the Swan and Canning Catchment Regions of Perth; if not, why not.
(2) Is the Minister aware that a failure to fund urban landcare projects puts at risk the significant gains that have been made to restore Perth’s river systems in the last few years; if not, why not.
(3) Is the Minister aware that there are 11 Community Landcare Co-ordinators employed in the Swan and Canning Catchment Regions who may lose their jobs in September 2002 due to the lack of certainty about federal funding; if not, why not.
(4) Is the Minister aware that the work of 17 catchment groups and over 200 other environmental groups, representing many thousands of community volunteers in the Swan and Canning Catchment Regions, are being affected by the failure of the Government to release NHT funds for urban projects; if not, why not.
(5) Is the Government considering making available no more than $50 to $100 million in this interim year, despite a figure of $250 million being put forward in budget papers for NHT funding; if not, why not.
(6) Can the Minister guarantee that funding will be available to enable the continued employment of the 11 Community Landcare Co-ordinators employed in the Swan and Canning Catchment Re-
regions after September 2002, while the Government decides how urban projects will be funded in the future; if not, why not.

(7) Will urban landcare projects suffer a reduction in funding as a result of NHT guidelines that give priority to rural groups and sustainable agriculture, and much less money being available for the NHT than the Government first indicated; if not, why not.

Mr Truss—The answer to the honourable member’s question is as follows:

(1) Yes - around 87 full or part time facilitator/coordinator positions have been approved in Western Australia, with total funding of up to $3.2 million, including the 8 positions sought by Western Australia for the Swan metropolitan region.

(2) Facilitator/coordinator positions that target rural and regional areas have been given preference as there are limited resources and alternative opportunities for funding activities in urban areas. Considerable Commonwealth Natural Heritage Trust funding has been invested in the Swan metropolitan region over the years in partnership with the community. I am aware this investment has achieved much. Nevertheless, the Commonwealth should not be seen as the only source of funding for activities that are principally the responsibility of local and state governments, such as the restoration of Perth’s river systems.

(3) Many Natural Heritage Trust funded projects terminate in September 2002 and some have been extended to December. Interim arrangements have been put in place to assist the community in the transition from the first to the second phase of the Trust.

(4) Natural Heritage Trust funding will be provided for priority regional activities including those in urban areas. No regional Natural Heritage Trust funding is available until a bilateral agreement between the Commonwealth and Western Australia is signed. Negotiations on the bilateral agreement are currently underway.

(5) The Commonwealth Government’s commitment to funding from the Natural Heritage Trust in 2002-03 is $250 million, as announced in the May 2002 Budget. This commitment remains unchanged.

(6) Refer to responses to questions (1) and (4)

(7) The Natural Heritage Trust will fund projects which help achieve its outcomes of biodiversity conservation, sustainable use of natural resources, community capacity building and institutional reform. It is expected that regional plans and investment strategies for the Trust will encompass urban and metropolitan regions. There has been no change to the Commonwealth’s $1 billion commitment to the extension of the Natural Heritage Trust.

Environment: Natural Heritage Trust
(Question No. 860)

Ms Jackson asked the Minister for Agriculture, Fisheries and Forestry, upon notice, on 27 August 2002:

(1) Has a decision been made with respect to the ongoing funding of urban landcare projects via the Natural Heritage Trust (NHT) in the Swan and Canning Catchment Regions of Perth; if not, why not.

(2) Is the Minister aware that a failure to fund urban landcare projects puts at risk the significant gains that have been made to restore Perth’s river systems in the last few years; if not, why not.

(3) Is the Minister aware that there are 11 Community Landcare Co-ordinators employed in the Swan and Canning Catchment Regions who may lose their jobs in September 2002 due to the lack of certainty about federal funding; if not, why not.

(4) Is the Minister aware that the work of 17 catchment groups and over 200 other environmental groups, representing many thousands of community volunteers in the Swan and Canning Catchment Regions, are being affected by the failure of the Government to release NHT funds for urban projects; if not, why not.

(5) Is the Government considering making available no more than $50 to $100 million in this interim year, despite a figure of $250 million being put forward in budget papers for NHT funding; if not, why not.
Can the Minister guarantee that funding will be available to enable the continued employment of the 11 Community Landcare Co-ordinators employed in the Swan and Canning Catchment Regions after September 2002, while the Government decides how urban projects will be funded in the future; if not, why not.

Will urban landcare projects suffer a reduction in funding as a result of NHT guidelines that give priority to rural groups and sustainable agriculture, and much less money being available for the NHT than the Government first indicated; if not, why not.

Mr Truss—The answer to the honourable member’s question is as follows:

Yes - around 87 full or part time facilitator/coordinator positions have been approved in Western Australia, with total funding of up to $3.2 million, including the 8 positions sought by Western Australia for the Swan metropolitan region.

Facilitator/coordinator positions that target rural and regional areas have been given preference as there are limited resources and alternative opportunities for funding activities in urban areas. Considerable Commonwealth Natural Heritage Trust funding has been invested in the Swan metropolitan region over the years in partnership with the community. I am aware this investment has achieved much. Nevertheless, the Commonwealth should not be seen as the only source of funding for activities that are principally the responsibility of local and state governments, such as the restoration of Perth’s river systems.

Many Natural Heritage Trust funded projects terminate in September 2002 and some have been extended to December. Interim arrangements have been put in place to assist the community in the transition from the first to the second phase of the Trust.

Natural Heritage Trust funding will be provided for priority regional activities including those in urban areas. No regional Natural Heritage Trust funding is available until a bilateral agreement between the Commonwealth and Western Australia is signed. Negotiations on the bilateral agreement are currently underway.

The Commonwealth Government’s commitment to funding from the Natural Heritage Trust in 2002-03 is $250 million, as announced in the May 2002 Budget. This commitment remains unchanged.

Refer to responses to questions (1) and (4)

The Natural Heritage Trust will fund projects which help achieve its outcomes of biodiversity conservation, sustainable use of natural resources, community capacity building and institutional reform. It is expected that regional plans and investment strategies for the Trust will encompass urban and metropolitan regions. There has been no change to the Commonwealth’s $1 billion commitment to the extension of the Natural Heritage Trust.

Multiculturalism
(Question No. 873)

Mr Laurie Ferguson asked the Minister for Citizenship and Multicultural Affairs, upon notice, on 28 August 2002:

For each year since its commencement, what was the amount spent under the Living in Harmony initiative on (a) the community grants program, (b) departmental overheads for the grants program, (c) promotional and related expenses for Harmony Day and (d) other purposes.

Who conducted the evaluation of the initiative and as part of the evaluation process what consultation, if any, occurred with (a) State and Territory Governments, (b) ethnic community organisations and (c) indigenous organisations.

What were the findings and recommendations of the evaluation and on what date was the final evaluation report submitted to the Government.

Is the evaluation report available to the public; if not, on what ground is it being withheld.

As part of the initiative, has his Department conducted any market research on issues to do with racial discrimination or community harmony in Australia; if so, (a) when was the research conducted, (b) which organisations conducted the research and (c) what was the cost of each research study.

Mr Hardgrave—The answer to the honourable member’s question is as follows:
(1) (a)-(d) The Living in Harmony initiative commenced in August 1998. The amount spent each financial year since commencement of the initiative:

<table>
<thead>
<tr>
<th>Item</th>
<th>1998-99</th>
<th>1999-00</th>
<th>2000-01</th>
<th>2001-02</th>
</tr>
</thead>
<tbody>
<tr>
<td>Community Grants Program</td>
<td>2,466,360</td>
<td>1,693,965</td>
<td>1,155,229</td>
<td>1,020,849</td>
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<tr>
<td>Departmental overheads</td>
<td>1,162,702</td>
<td>762,008</td>
<td>533,601</td>
<td>1,051,793</td>
</tr>
<tr>
<td>Promotional and related Expenses for Harmony Day</td>
<td>599,228</td>
<td>671,150</td>
<td>374,746</td>
<td>561,584</td>
</tr>
<tr>
<td>Other purposes</td>
<td>Nil</td>
<td>Nil</td>
<td>Nil</td>
<td>Nil</td>
</tr>
</tbody>
</table>

Notes:

(1) The annual amount expended under the Living in Harmony budget will differ from the amount allocated due to some grants being implemented across financial years.

(2) The figures for departmental overheads include expenditure for administration of the grants program, administration of the partnerships program, staffing, and departmental funding allocated to external organisations for partnership projects. It is estimated that funding for partnerships projects over the 4 years was $1,048,000.

(2) The Department conducted the Evaluation. The Evaluation Steering Committee included three members of the Council for Multicultural Australia, a representative of Reconciliation Australia and an external probity consultant. In respect of consultations as part of the evaluation process:

(a) There was no consultation with State and Territory Governments.

(b) Ethnic community organisations that received Living in Harmony grants provided input to the evaluation through their final project report to the Department. These reports provided qualitative and quantitative assessment of the project’s implementation and its achievements. As part of the evaluation process, in some cases, further follow-up was made by telephone with organisations to obtain more information.

(c) Indigenous organisations that received Living in Harmony grants provided input to the evaluation through their final project report to the Department. These reports provided qualitative and quantitative assessment of the project’s implementation and its achievements. As part of the evaluation process, in some cases, further follow-up was made by telephone with organisations to obtain more information.

(3) The key conclusion of the Evaluation was that the three elements of the Living in Harmony initiative – the community grants program, the partnerships program, and the public information strategy led by the annual Harmony Day – provided a solid framework for the initiative and that each element contributed to meeting the overall objectives of the Living in Harmony initiative. The evaluation also found that:

- 45% of the projects had the potential to be replicated in other communities, with appropriate tailoring to differing circumstances;
- Over 120 products resulted from projects, some of which have the potential to be further developed and distributed more widely;
- Around 52% of the projects continued their grant related activity beyond the completion of the grant funding;
- Feedback for Harmony Day has been primarily positive and that it has gained acceptance as a national event in a short period of time; and
- The number of projects and amount of funding across the States and Territories of Australia were generally in proportion with their population.

The recommendations of the Living in Harmony evaluation were primarily suggestions for continuing the improvement of the administration and promotion of the initiative through further streamlining and strategic integration of its three elements: the community grants, the partnerships program and Harmony Day.

The Living in Harmony final evaluation report was an internal working document; the Ministers for Immigration and Multicultural and Indigenous Affairs and for Citizenship and Multicultural Affairs were briefed on the report on 10 May 2002.

(4) The Living in Harmony evaluation report is an internal working document and is therefore not available wholly for general distribution. This is because the initiative is ongoing and the evalua-
tion covered only the first round (1999) of community grants and partnerships. As such, the report provides a partial assessment at a particular and early point in the life cycle of the Living in Harmony initiative.

The findings of the report can be disseminated externally, as appropriate, to promote the positive outcomes of the evaluation and the lessons learned from implementation of the initiative in its first three years. This approach would enable the key messages to be delivered and capitalised upon by current and prospective funded organisations.

The findings of the evaluation have already been taken into account in the context of the second (2001) and third rounds (2002) of the Living in Harmony for the purposes of continuous improvement.

(5) The Department commissioned quantitative and qualitative research and conducted extensive community consultations to guide the development of the anti-racism campaign. The anti-racism campaign was launched by the Government as the Living in Harmony initiative on the basis of the findings of that research and community consultations. The key findings of the research and community consultations were:

- in comparison to other countries, community harmony already exists in Australia;
- this sense of harmony is worth protecting; and
- is worthy of celebration.

(a) The market research was conducted between 1996-1998;
(b) The market research was conducted by Eureka Strategic Research;
(c) The cost of the research study was $184,850.

**Trade: Automotive Tariffs**

**(Question No. 903)**

Mr McClelland asked the Minister for Trade, upon notice, on 16 September 2002:

What are the current automotive tariffs imposed by countries in the APEC region in respect of (a) cars, (b) trucks and (c) parts.

Mr Vaile—The answer to the honourable member’s question is set out in the following table.

**APEC AUTOMOTIVE TARIFFS**

<table>
<thead>
<tr>
<th>ECONOMY</th>
<th>AUTO TARIFFS</th>
<th>COMMENT</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td>(Car—Trucks—Parts)</td>
<td></td>
</tr>
<tr>
<td>Australia</td>
<td>5-15%—5-15%—0-15%</td>
<td>Current review of tariffs post 2005</td>
</tr>
<tr>
<td>Canada</td>
<td>6.1%—6.1%—0-15.5%</td>
<td></td>
</tr>
<tr>
<td>Chile</td>
<td>5%—7%—7%</td>
<td></td>
</tr>
<tr>
<td>China (PRC)</td>
<td>44-51% cars and tucks—(23% average parts)</td>
<td>Acceded to the WTO in Dec 2001. Tariff quotas being increased by 15% per year &amp; phased out by 1 Jan 2005. Tariffs to be phased down to cars 25%, trucks 20-30% and parts 10% average by mid 2006.</td>
</tr>
<tr>
<td>Philippines</td>
<td>30%—3-30%—3-20%</td>
<td>Vehicle tariffs not bound in WTO. Local content requirements to be phased out by mid 2003.</td>
</tr>
<tr>
<td>Peru</td>
<td>12%—12%—12%</td>
<td></td>
</tr>
<tr>
<td>Hong Kong</td>
<td>0%—0%—0%</td>
<td></td>
</tr>
<tr>
<td>Indonesia</td>
<td>25-80%—0-45%—0-25%</td>
<td>High luxury taxes apply. Auto tariffs not bound in WTO</td>
</tr>
<tr>
<td>Japan</td>
<td>0%—0%—0-4.8%</td>
<td></td>
</tr>
<tr>
<td>Korea</td>
<td>8%—0%-10%—8%</td>
<td></td>
</tr>
<tr>
<td>Malaysia</td>
<td>40-300%—0-50%—0-80%</td>
<td>Vehicle tariffs not bound in WTO. Local content requirements to be phased out by the end of 2003. Vehicle import quotas.</td>
</tr>
</tbody>
</table>
ECONOMY | AUTO TARIFFS | COMMENT
---|---|---
Mexico | (8-30%—3-23%—3-30%) | 0% Canada & U.S. by Jan.2004
New Zealand | (0%—0%—0-15%) | 0% Canada & U.S. by Jan.2004
Russia | (30%—5-25%—5-30%) | Acceded to WTO Dec 2001. Tariff quotas apply until 2011. A 2,928 quota set for Australia in 2001. By 2010 tariffs to be phased down to cars 17.5% & parts 9% average.
Singapore | (0%—0%—0%) | 0% with Mex. & Canada
Chinese Taipei | (20%—37%—2.5-42%) | Not a WTO member
Thailand | (80%—5-60%—10-46%) | High excise applies to cars
USA | (2.5%—0-25%—0-6.5%) | 25% applies to utilities
Vietnam | (100%—60%—30-60%) | Not a WTO member

Source: Various including DFAT, industry profiles on APEC web site and US Automotive Trade Policy Council.

Cars—Data encompass all tariff lines in HS 8703.2 and 8703.3
Trucks—Data from HS 8704.

Special Minister of State: Leases
(Question No. 906)

Mr Fitzgibbon asked the Minister representing the Minister representing the Special Minister of State, upon notice, on 16 September 2002:

Has the Minister’s Department had leases on a building in (a) Church Street, Maitland and (b) Mitchell Drive, East Maitland; if so, what are the details of each lease, including the (i) dates of operation, (ii) financial terms and (iii) actual tenant.

Mr Abbott—The Special Minister of State has provided the following answer to the honourable member’s question:

It is accepted practice, under this Government and previous Governments, for a Member of Parliament to request a new electorate office if they have (a) inherited the electorate office from a previous Member, and (b) the lease on the existing premises has expired or (c) the Member must relocate due to either occupational health and safety reasons or the location of the Member’s home base.

(a) Yes
   (i) December 1990 - June 1992
   (ii) Lease cost $29,880 per annum
   (iii) Mr Eric Fitzgibbon (then Member for Hunter)

   (i) March 1993 - March 1996
   (ii) Lease cost $31,045 per annum
   (iii) Mr Bob Horne MP (then Member for Paterson)

(b) Yes
   (ii) Lease cost $51,400 per annum
   (iii) Mr Bob Baldwin (then Member for Paterson)
(i) October 1998 - March 2001
(ii) Lease cost $51,400 per annum
     $52,384 per annum from 1 January 1999
     $53,368 per annum from 1 January 2000
(iii) Mr Robert Horne (then Member for Paterson).

Minister for Immigration and Multicultural and Indigenous Affairs: Kabul Visit

(Question No. 921)

Ms Gillard asked the Minister for Immigration and Multicultural and Indigenous Affairs, upon notice, on 17 September 2002:

(1) What meetings did he attend during his visit to Kabul in May 2002 and in each instance (a) at what time were the meetings scheduled to commence and conclude and (b) who was in attendance.

(2) Were there any scheduled meetings or commitments for which he was unable to attend or the time allocated was reduced.

Mr Ruddock—The answer to the honourable member’s question is as follows:

(1) (a) I attended the following meetings while in Kabul on 16 May 2002 which commenced at the indicated time and cease shortly before the following meeting. An exact recording of the start and finish times of each meeting is not available:

   1230 Luncheon meeting with:
       Mr Enayatullah Nazari,
       Minister for Refugees Affairs and Returnees
       Mr Hadi
       Deputy Minister for Refugees Affairs and Returnees
       Mr Abdul Rahim Karimi
       Justice Minister
       Mr Armand Rousselot
       Regional Representative, International Organisation for Migration
       Mr Filippo Grande
       UNHCR, Regional Representative
   1400 Meeting with Mr Enayatullah Nazari
       Minister for Refugees Affairs and Returnees
   1510 Meeting with Dr Shirzai
       Acting Foreign Minister
   1540 Signing of an Memorandum of Understanding
       Joint press conference with Mr Nazari
   1615 Courtesy call on Chairman Hamid Karzai

(b) I was accompanied by the following to all meetings in Kabul:

   Mr Bill Farmer, Secretary, DIMIA;
   Mr Peter Templeton, Senior Adviser;
   Mr Howard Brown, Australian High Commissioner to Pakistan and Ambassador to Afghanistan;
   Mr Alan Hutchison, Principal Migration Officer Islamabad; and
   Mr John Caspersonn, Principal Migration Officer (Compliance).

The party was also accompanied on all calls by the then Afghan Honorary Consul to Australia, Mr Mahmoud Saikal.
(2) The only scheduled meeting not to proceed was with Mr Youno Qanooni, Minister for the Interior which was scheduled for 1430 hours. Mr Qanooni was abroad, and a replacement meeting with his Deputy Minister (Police) Naziri did not take place as he was out of Kabul.

**Defence: National Service Medal**

(Question No. 934)

Ms Jann McFarlane asked the Minister Assisting the Minister for Defence, upon notice, on 18 September 2002:

Further to the issuing of the National Service Medal for all conscripted personnel from 1951 to 1972 regardless of active service criteria, does the Government have any plans to recognise the efforts of regular service personnel who served in the defence forces but are ineligible for a Long Service Medal and did not serve in a conflict during this period; if so, will this take the form of a medal.

Mrs Vale—The Minister for Defence has provided the following answer to the honourable member’s question:

No.

**Department of Immigration and Multicultural and Indigenous Affairs: Staffing**

(Question No. 939)

Ms Gillard asked the Minister for Immigration and Multicultural and Indigenous Affairs, upon notice, on 19 September 2002:

(1) Further to the answer to question No. 638 (Hansard, 16 September 2002, page 6314), who made the decision to create a position of Senior Assistant Secretary.

(2) When was this decision made.

(3) Why was this decision made.

(4) How does the duty statement and performance indicators for the position differ from those of Assistant Secretary and First Assistant Secretary in his Department.

(5) What salary range does the position attract.

Mr Ruddock—The answer to the honourable member’s question is as follows:

(1) The decision to create a position of Senior Assistant Secretary was made by the Secretary.

(2) The decision was made on 11 April 2002.

(3) The decision was made in recognition of the skills, experience and important role the employee plays as a senior Branch Head within his/her relevant Division.

(4) The position of Senior Assistant Secretary and Assistant Secretary are both Senior Executive Service Band 1 (SES B1) positions. The duty statement and performance indicators for the position of Senior Assistant Secretary are the same as those for Assistant Secretary. All SES B1 officers are assessed against performance criteria based on the SES core capabilities under a 5-point rating scale.

(5) The salary range is that of a Senior Executive Band 1 ($106,080 - $118,000).

**Immigration: Temporary Business (Long Stay) Visas**

(Question No. 940)

Ms Gillard asked the Minister for Immigration and Multicultural and Indigenous Affairs, upon notice, on 19 September 2002:

(1) Further to the answer to question 646 (Hansard, 16 September 2002, page 6316), how many Temporary Business (Long Stay) visas have been issued in the last three financial years.

(2) How many employees sponsored under this scheme have had a copy of the employment contract placed on file with his Department as required in the last three financial years.

(3) Further to the monitoring of business sponsors and possible breaches of Australian law which may have occurred, how many cases have been referred over the last three financial years to the agencies referred to in the answer for further investigation and appropriate action.

(4) What has been the outcome of these referrals.
Mr Ruddock—The answer to the honourable member’s question is as follows:


(2) Full copies of the actual employment contracts are not required as part of the processing of Temporary Business (Long Stay) visas. From July 2001, each visa applicant is required to acknowledge they know what salary they will be paid. This is verified against the information provided by the sponsor on the nomination.

(3) Targeted national coordinated monitoring commenced in January 2001 and was enhanced to current levels in November 2001. Prior to this monitoring was only undertaken on a more limited basis and mainly in response to allegations or other advice.
   21 cases have been referred to other agencies.

(4) Other agencies do not always report the outcome of referrals to the Department of Immigration and Multicultural and Indigenous Affairs (DIMIA) eg the Australian Taxation Office.
   Outcomes reported to DIMIA have been:
   Restitution made to employees—3 cases.
   Business sold or closed down—5 cases. In 2 of these cases, the business sponsors have left Australia.
   Criminal conviction recorded against the sponsor—1 case.
   No breaches found—2 cases.
   Changes made to the employment conditions of employees—1 case.
   Currently under investigation—8 cases.
   In all the above cases, departmental records of the sponsors concerned have been noted. The information is taken into account should the sponsors have further dealings with the Department.

Commercialising Emerging Technologies Program
(Question No. 948)

Ms Jann McFarlane asked the Minister for Industry, Tourism and Resources, upon notice, on 24 September 2002:

(1) What taxpayer-funded schemes are available to encourage innovation by small individual inventors rather than companies.

(2) Has the Government any plans to amend the structure of patent fees to provide either (a) a discount on renewal fees for all patent types or (b) allow waivers on renewal fees for individual inventors during the development stages of the patent.

(3) How many patents of all types held by individual inventors expired due to failure to pay renewal fees in (a) 1996, (b) 1997, (c) 1998, (d) 1999, (e) 2000 and (f) 2001.

Mr Ian Macfarlane—The answer to the honourable member’s question is as follows:

(1) The Commercialising Emerging Technologies (COMET) program provides support to individuals, early-stage growth firms, and spin-off companies with a tailored package of support to improve their potential for successful commercialisation. However, as detailed in all program documentation, individuals who are successful in being awarded support must form a company while they are being supported.

(2) The government does not have any plans in respect of either option (a) or (b).

- Fee reductions and/or waivers are not an option - Australia is a signatory to international intellectual property treaties and agreements that do not allow preferential treatment to national residents.
- To assist innovators, patent renewal fees are structured to provide a relatively low cost entry into the patent system when funding may be difficult, and progressive rises occur over the life of the patent when the invention is more likely to be commercially viable.

(3) The following data, supplied by IP Australia, the body that administers patent, trade mark and design rights has been provided with some caveats.
Only Australian applicants have been counted.
The data includes both standard and petty patents.
The capture of patent applicant data is not sufficiently discrete to ensure the extraction of the data relates solely to individual inventors.

Because of these limitations, the data has had to be extrapolated to answer this query. As a consequence, the following figures over estimate the actual numbers by about 5% due to double counting of any patents which have more than one Australian applicant.

<table>
<thead>
<tr>
<th>Year</th>
<th>Current Patents held by Australian Individual Applicants</th>
<th>Patents not renewed by Australian Individual Applicants</th>
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</thead>
<tbody>
<tr>
<td>1996</td>
<td>2133</td>
<td>165</td>
</tr>
<tr>
<td>1997</td>
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<td>170</td>
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