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SITTING DAYS—2003

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- **ADELAIDE**: 972 AM
- **PERTH**: 585 AM
- **HOBART**: 729 AM
- **DARWIN**: 102.5 FM
FORTIETH PARLIAMENT
FIRST SESSION—FIFTH PERIOD

Governor-General

His Excellency the Right Reverend Dr Peter Hollingworth, Companion of the Order of Australia, Officer of the Order of the British Empire

House of Representatives Officeholders

Speaker—The Hon. John Neil Andrew MP
Deputy Speaker—The Hon. Ian Raymond Causley MP
Second Deputy Speaker—Mr Harry Alfred Jenkins MP

Members of the Speaker’s Panel—Mr David Peter Maxwell Hawker, Mr Philip Anthony Barresi, Ms Teresa Gambaro, Mr Peter John Lindsay, The Hon. Bruce Craig Scott, The Hon. Dick Godfrey Harry Adams, Mr Frank William Mossfield AM, The Hon. Leo Roger Spurway Price, Mr Kimberley William Wilkie, Mr Ann Kathleen Corcoran

Leader of the House—The Hon. Anthony John Abbott MP
Deputy Leader of the House—The Hon. Peter John McGauran MP
Manager of Opposition Business—Mr Wayne Maxwell Swan MP

Party Leaders and Whips

Liberal Party of Australia
Leader—The Hon. John Winston Howard MP
Deputy Leader—The Hon. Peter Howard Costello MP
Chief Government Whip—Mr James Eric Lloyd MP

Government Whips—Mrs Joanna Gash MP and Mr Fergus Steward McArthur MP

National Party of Australia
Leader—The Hon. John Duncan Anderson MP
Deputy Leader—The Hon. Mark Anthony James Vaile MP
Whip—Mr John Alexander Forrest MP
Assistant Whip—Mr Paul Christopher Neville MP

Australian Labor Party
Leader—The Hon. Simon Findlay Crean MP
Deputy Leader—The Hon. Jennifer Louise Macklin MP
Chief Opposition Whip—The Hon. Janice Ann Crosio MBE MP

Opposition Whips—Mr Michael Danby MP and Mr Harry Vernon Quick MP

Printed by authority of the House of Representatives
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**PARTY ABBREVIATIONS**

- ALP—Australian Labor Party; LP—Liberal Party of Australia; NPA—National Party of Australia;
- Ind.—Independent; CLP—Country Liberal Party; AG—Australian Greens

**Heads of Parliamentary Departments**

_Clerk of the Senate_—H. Evans  
_Clerk of the House of Representatives_—I.C. Harris  
_Departmental Secretary, Parliamentary Library_—J.W. Templeton
Departmental Secretary, Parliamentary Reporting Staff—J.W. Templeton
Departmental Secretary, Joint House Department—M.W. Bolton
**HOWARD MINISTRY**

- **Prime Minister**: The Hon. John Winston Howard MP
- **Minister for Transport and Regional Services and Deputy Prime Minister**: The Hon. John Duncan Anderson MP
- **Treasurer**: The Hon. Peter Howard Costello MP
- **Minister for Trade**: The Hon. Mark Anthony James Vaile MP
- **Minister for Defence and Leader of the Government in the Senate**: Senator the Hon. Robert Murray Hill
- **Minister for Communications, Information Technology and the Arts and Deputy Leader of the Government in the Senate**: Senator the Hon. Richard Kenneth Robert Alston
- **Minister for Foreign Affairs**: The Hon. Alexander John Gosse Downer MP
- **Minister for Employment and Workplace Relations, Minister Assisting the Prime Minister for the Public Service and Leader of the House**: The Hon. Anthony John Abbott MP
- **Minister for Immigration and Multicultural and Indigenous Affairs and Minister Assisting the Prime Minister for Reconciliation**: The Hon. Philip Maxwell Ruddock MP
- **Minister for the Environment and Heritage and Vice-President of the Executive Council**: The Hon. Dr David Alistair Kemp MP
- **Attorney-General**: The Hon. Daryl Robert Williams AM, QC, MP
- **Minister for Finance and Administration**: Senator the Hon. Nicholas Hugh Minchin
- **Minister for Agriculture, Fisheries and Forestry**: The Hon. Warren Errol Truss MP
- **Minister for Family and Community Services and Minister Assisting the Prime Minister for the Status of Women**: Senator the Hon. Amanda Eloise Vanstone
- **Minister for Education, Science and Training**: The Hon. Dr Brendan John Nelson MP
- **Minister for Health and Ageing**: Senator the Hon. Kay Christine Lesley Patterson
- **Minister for Industry, Tourism and Resources**: The Hon. Ian Elgin Macfarlane MP

*(The above ministers constitute the cabinet)*
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SHADOW MINISTRY

Leader of the Opposition  The Hon. Simon Findlay Crean MP
Deputy Leader of the Opposition and Shadow Minister for Employment, Education, Training and Science  Jenny Macklin MP
Leader of the Opposition in the Senate, Shadow Special Minister of State and Shadow Minister for Home Affairs  Senator the Hon. John Philip Faulkner
Deputy Leader of the Opposition in the Senate and Shadow Minister for Finance, Small Business and Financial Services  Senator Stephen Conroy
Shadow Treasurer and Shadow Minister for the Arts  Bob McMullan MP
Shadow Minister for Innovation, Industry and Trade  Craig Emerson MP
Shadow Minister for Defence  Senator Chris Evans
Shadow Minister for Regional Development, Transport, Infrastructure and Tourism  Martin Ferguson MP
Shadow Minister for Population and Immigration and Shadow Minister for Reconciliation and Indigenous Affairs  Julia Gillard MP
Shadow Minister for Economic Ownership and Community Security  Mark Latham MP
Shadow Attorney-General and Shadow Minister for Workplace Relations  Robert McClelland MP
Shadow Minister for Primary Industries and Resources  Senator Kerry O’Brien
Shadow Minister for Foreign Affairs  Kevin Rudd MP
Shadow Minister for Health and Ageing  Stephen Smith MP
Shadow Minister for Family and Community Services and Manager of Opposition Business in the House  Wayne Swan MP
Shadow Minister for Communications  Lindsay Tanner MP
Shadow Minister for Sustainability and the Environment  Kelvin Thomson MP
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On behalf of the Joint Standing Committee on Migration, I present the committee’s report, incorporating a dissenting report, entitled 2003 Review of Migration Regulation 4.31B, together with the minutes of the proceedings and evidence received by the committee.

Ordered that the report be printed.

Ms GAMBARO—by leave—I thank the House. I am very pleased to be here today to present the report on 4.31B as it applies to certain people who have sought refugee status in Australia by applying for a protection visa. Those people who have had their applications refused by the department of immigration may apply to the Refugee Review Tribunal for the review of those refusals. If the tribunal agrees that the applicants do not meet the definition of refugees in the United Nations Refugee Convention then the regulation is due to expire at the end of June 2003 as a consequence of a sunset clause. The Minister for Immigration and Multicultural and Indigenous Affairs requested that the committee review the regulation and report on its two previous reviews, in 1999 and 2001. The committee received nine submissions and heard evidence from four organisations in the course of those two public hearings. Many submissions argued against the continuation of the fee, some urged that it be continued and increased and others believed that the fee should not exist. In 2001-02, there were some 5,734 applications to the Refugee Review Tribunal for it to review the department’s rejection of protection visa applications. The tribunal did not support 5,487 of the applications for review. Those applicants thus became liable for a fee of $1,000. Among this group were those who had a genuine belief that they had grounds for seeking a protection visa but were found not to meet the Refugee Convention definition.

Asylum seekers with a legitimate fear of human rights abuse may fall outside the scope of the Refugee Convention. The tribunal’s rejection of their claim does not mean that they were attempting to abuse the protection visa arrangements. Nevertheless, there is abuse. All of the submissions to the committee which commented on the issue of abuse agreed that it existed, and the committee therefore examined a range of existing and proposed strategies to combat abuse. One of the incentives for applicants to make use of the appeal process is that it takes time, and some applicants in particular may, for economic or lifestyle reasons, be content to have their stay in Australia extended by using the appeal process even if they have to eventually leave. It appeared to the committee that measures which reduced the duration of the tribunal process would reduce the attractiveness of making unfounded refugee applications.

The committee had in the course of its work in this parliament visited the Refugee Review Tribunal and witnessed hearings
there. The committee saw that the testing of applicants’ bona fides is not always a short, simple task, particularly as new evidence may emerge between the initial protection visa application and the subsequent tribunal hearing. The committee therefore recommended that additional resources be made available to the tribunal to provide for more expeditious hearing and finalisation of cases appearing before it. The committee noted that the fee had not been increased since it was introduced in 1997 and that its relative value had therefore eroded—and potentially its deterrent effect. The committee therefore recommended that the fee be raised to match that of the Migration Review Tribunal, which is currently $1,400. The committee also concluded that the fee was probably achieving its purpose and therefore recommended that the regulation remain in operation for a further two years, to be reviewed again in 2005.

In conclusion, I would like to thank all of those who gave proposals and submissions to the committee. I particularly want to thank the deputy chair, the member for Oxley, for his work and the committee for their fine work on the first report of this parliamentary sitting and for the cooperative spirit in which the contending interpretations and views were offered and debated. I would also like to thank the secretariat of Richard Selth, Steve Dyer and Peter Ratas for their extremely efficient assistance with the inquiry arrangements and the processes. I commend this report to the House.

Mr RIPOLL (Oxley) (12.36 p.m.)—I am pleased to be speaking on the 2003 Review of Migration Regulation 4.31B. Three recommendations have come out of the committee. Firstly, we have recommended that migration regulation 4.31B remain in operation subject to a further two-year sunset clause to commence on 1 July 2003 and that its operation be reviewed again by this committee in 2005. Secondly, we have recommended that the fee applied under the regulation be raised to $1,400 from $1,000, which is in line with the fee levied for an application for review by the Migration Review Tribunal. Finally, the committee have recommended that additional resources be made available to the Refugee Review Tribunal to provide for the more expeditious hearing and finalisation of cases coming before it.

I think these three recommendations are valid and warranted under the circumstances. I understand that there are some people who believe that it would be easier to just waive the fee. The task that we put forward to DIMIA was to come back to us at this review period with further evidence and statistical data which could give us, the committee, some guidance on how we should deal with this fee. Of particular concern to the committee was that the fee should be a deterrent to those who would make false claims, or non bona fide claims, but certainly not be a deterrent to, or in some way impede applications made by, people who are bona fide. I think that this can be achieved and is being achieved by what is currently in place. It is important to note, too, what the fee does in operation. If somebody does apply for a review under the RRT, they have to pay the fee within seven days. If they choose not to pay the fee, they then owe the Commonwealth a debt and are subsequently listed, if they do not pay that debt, on the MAL system, the movement alert list. I think that is quite important to note.

There were a number of responses: nine submissions were taken by the committee. Three supported the retention of the fee; the others were against the retention of the fee. Two of the submissions proposed modifications. For each of those we looked at the merits of what was put before us and came to our conclusions. The conclusions of our committee were that, while we disagreed with some of the submissions and some of
the evidence that was put before us, we also felt that there was enough weight of evidence that the fee should remain in place.

I could not speak on this issue without at least noting that in any system some abuse is always going to exist. I just want to put on the record that Amnesty concurred with this, stating that, like asylum determination systems everywhere else, Australia’s was subject to a certain level of abuse and there were some non-genuine applicants. This is not to say that the vast majority are not genuine but that there need to be some mechanisms put in place that can deal with those who would be non bona fide.

The biggest issue for me personally—and, I believe, for the committee as a whole—was the issue of expeditious processing. This is probably the most critical part. People should not stay within the system for extended periods of time going for review purely to try to remain in Australia when they know they are not entitled to. Currently, the RRT is comprised of about 40 full-time officers and about 25 part-time officers. Between them, they finalised in 2001-02 nearly 6,000 cases.

Ms GAMBARO (Petrie) (12.40 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, and the member will have leave to continue speaking when the debate is adjourned.

Ms ROXON (Gellibrand) (12.40 p.m.)—The A Better Future for Our Kids Bill 2003 establishes an Australian commissioner for children and young people that could have a lasting, positive impact on the future of our kids.

It makes the basic point that if we do not value our children we cannot ever hope to protect them.

The bill looks at ways of ensuring that children’s needs are understood and that their interests, rights and welfare are taken into account by the community and by our governments. It particularly aims to help protect our children from child abuse.

This bill’s time has come.

Over recent years, the range of distressing and, frankly, awful revelations of child abuse, particularly sexual abuse, in our community has created a level of anger, fear and mistrust.

We must do something to tackle child sexual abuse.

We as politicians must take some action for the future.

Labor is absolutely determined that some good must come from the Governor-General controversy, and my challenge to the Prime Minister is for him to get on board with this initiative.

Federal Labor announced our commitment to establish a commissioner for children back in May 2002, and since then we have worked to develop the detail of this bill.

I would like to briefly highlight the main purpose and objects of establishing a children’s commissioner.

They are:

• To provide national leadership and advocacy on children’s and young people’s issues;
• To monitor and promote the wellbeing of children and young people, particularly...
those who are vulnerable or disadvantaged;

- To encourage understanding of the interests, rights and welfare of children and young people; and

- To encourage the participation of children and young people in the community.

An independent advocate for children who listens to, works with, values and appreciates children is vital.

The bill’s basic principles are:

- That every child is a valued member of society;
- That the family has primary responsibility for the upbringing and development of its children and should be supported in that role;
- That every child is entitled to be protected from abuse, exploitation and discrimination;
- That every child is entitled to form and express views and have those views taken into account; and
- That in decisions involving children the child’s best interests are of primary concern.

Establishing a commissioner would signal an important change in our community.

It would signal to children that we as adults think that they matter—that we value their childhood and that we will listen to their fears and needs.

Building confidence in our children is one of the best ways to ensure that they are not victimised or abused. Once children’s voices are truly heard in our community, we have made an important step down the path to building a safer and more child friendly society.

I want to specifically mention two important functions that we have outlined for the commissioner:

- The commissioner will put in place a national ‘working with children’ check to apply across the whole country in all areas of work and volunteering where adults have unsupervised care of our children; and

- The commissioner will develop a national code for the protection of children, including attaching conditions to government funding so that only organisations with adequate procedures for the prevention and handling of child abuse matters can receive public money.

Both these steps will help make our children safer and our organisations better.

Of course, establishing a commissioner is only one part of the action that must be taken—and we do not mind debating better forms or additions or changes that will help.

But our idea to establish an Australian commissioner for children and young people is a good idea and could make a difference.

And a better future for our kids is too important for the Prime Minister to ignore our proposal just because it comes from the Labor Party.

I urge the Prime Minister to take this matter seriously enough to allow a full and proper debate of Labor’s proposal in this House.

Australia’s children deserve no less.

In the current circumstances, we are looking to the Prime Minister to take some leadership on these issues.

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

KYOTO PROTOCOL RATIFICATION BILL 2003
First Reading
Bill presented by Mr Kelvin Thomson.
Mr KELVIN THOMSON (Wills) (12.45 p.m.)—Just as Simon Crean’s Riverbank initiative in his budget reply showed that one party, the Labor Party, is serious about saving the Murray, the Kyoto Protocol Ratification Bill 2003 tells the Australian people that there is one party in this place which is serious about tackling climate change, and that is the Labor Party. This is a bill which tells Australian farmers that we care about the impact of droughts and floods on them; we care about those CSIRO projections that say that increasing temperatures will lead to increased severity and increased frequency of droughts and floods in the years ahead. This is a bill which tells the residents of Queensland and Queensland’s tourism industry that we care about the impact of global warming on coral bleaching through increased water temperatures on the Great Barrier Reef.

This is a bill which tells the people of Victoria and the Victorian tourism industry that we do not intend to see a loss of snow cover on Victoria’s Alps with all that that means for Victoria’s tourism, alpine cover and our recreational activities in the alpine area. This is a bill which tells people in Western Australia, particularly in the south-west and west, that we understand that their climate has been changing over the course of the past couple of decades and that we are concerned about the impact of increased temperatures, reduced rainfall and increasing droughts in that area.

This is a bill which tells residents in the tropics that we do not want to see an increased risk of tropical diseases, such as dengue fever or even malaria, which some of the research tells us is likely to occur if we allow climate change to go unchecked. This is a bill which tells the insurance industry that we understand the impact that increased severity of extreme weather events will have on the insurance industry and their capacity to meet claims. Recently, I was in Sutherland shire visiting the emergency services area. They understand the great irony of having to battle floods only a matter of weeks after they were battling bushfires in the same terrain. Those disasters will occur not only in Sutherland shire but in other parts of Australia if we do not act to control and do not act to do everything we can to curb climate change.

This is a bill which tells Australian business that we understand that they should be entitled to be part of the new business order which seeks to engage in trade in carbon emissions, buying and selling carbon credits, and that we should be part of the clean development mechanism. We understand that there is a risk to Australian business, that they will be locked out of global trade in these matters if Australia does not ratify the Kyoto protocol. We understand that many Australian businesses now support ratification of the Kyoto protocol because they understand that that is good for business and necessary for them to move ahead.

Finally, this is a bill which tells the Australian people and the rest of the world that the Labor Party believes in being good international environmental citizens. I and other Labor Party members are ashamed of our international reputation on environmental matters, including climate change. Last year, I had the honour of visiting the World Summit on Sustainable Development in Johannesburg and I listened to what all the European countries are doing not only to ratify the Kyoto protocol but also to play their part in reducing and curbing greenhouse gas emissions. We heard stirring calls for ratification of the Kyoto protocol from countries as small as Tuvalu, which is threatened by flooding due to increased sea level rises, and from countries like Germany, which is impacted on by floods. We listened to what all those other countries are doing. They want to play their role, yet we have Australia saying,
Because the United States does not want to ratify, we are not prepared to ratify. That is a disgraceful and unacceptable international position for us to take. We need to support the Kyoto protocol. We need to support the collective international effort to curb climate change. We need to be good and responsible international environmental citizens. It is in our interests and in the interests of the entire world.

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.

PRIVATE MEMBERS’ BUSINESS

World Health Organisation: Taiwan

Mr SOMLYAY (Fairfax) (12.50 p.m.)—When the parliament rose at the end of budget week, the death toll from SARS in Taiwan was 28. Today it is 72. I congratulate Taiwan on its achievements in the health care field in the last 50 years and on its willingness to use its knowledge and resources to assist countries less fortunate or those suffering from some form of disaster. Many of us have had the opportunity to visit Taiwan, which is an island roughly the size of Tasmania. It has a population of 23 million people, with the highest life expectancy in Asia. It had the first universal health insurance system in Asia, with 97 per cent coverage, and it has eradicated many infectious diseases. It is a physically and scientifically developed country with one physician for every 649 people, and 18,265 health care institutions.

Yet all these medical professionals and facilities have no access to the information and alerts to infection provided by the World Health Organisation. Because of politics, and only because of politics, Taiwan has been refused observer status in WHO. I stress that I am not talking about actual WHO membership for Taiwan, just non-voting observer status, contributing all the way to the development and dissemination of medical information. Exclusion even from the observer category means exclusion from all World Health Organisation information, including the Global Outbreak Alert and Response Network, the mechanism by which the WHO transmits reports of current outbreaks to, and receives reports from, professionals throughout the world.

Unfortunately the seriousness of this exclusion has been dramatically demonstrated to the world with the SARS outbreak. It took seven weeks from Taiwan’s first request to WHO for scientific assistance before China agreed and WHO actually provided some assistance. How many people were endangered, infected or died because of that delay? The reality of today’s globalisation means that those endangered during the delay were not just Taiwanese—it dramatically increased the world danger and therefore affected Australians.

We all know that there are political sensitivities involving China and Taiwan and that China insists that there be no political recognition of Taiwan as an independent state. I do not want to touch on those sensitivities today or in any way enter that debate. My proposal that Taiwan—as a health entity, not a country—be granted observer status with WHO has nothing whatever to do with politics but everything to do with world health and Australian health, because infection recognises neither political boundaries nor political agreements in a highly mobile world.

To grasp the repercussions of banning Taiwan—a major transport hub with 23 million people and a sophisticated health system—from access to WHO, let us look at a couple of statistics for 2002. Taiwan had 7.85 million outbound travellers; 2.19 million inbound travellers; 304,000 migrant
workers from other parts of Asia; and, $US243 billion worth of foreign trade, including in animals, animal products and food. The data on these movements does not sit comfortably with the WHO executive board’s determination in 2001, which said:

The globalisation of infectious diseases is such that an outbreak in one country is potentially a threat to the whole world.

Because Taiwan currently has no status with WHO, even as an observer, WHO ignored Taiwan’s need for help with SARS. Politics got in the way of world health and world safety, and politics got in the way of the interests of the people. As Tommy G. Thompson said to the World Health Assembly on 19 May:

One lesson of SARS is that public health knows no border—and no politics.

While any loophole in the global network endangers the global community, disease is no longer the only imperative. Now the possibility of biological and chemical terrorism must also be considered in global health care.

Taiwan is already active in providing international assistance. That assistance includes El Salvador and Afghanistan and medical teams in a number of African countries. From 1995 to 2002, Taiwan donated $US120 million to medical and humanitarian aid in 78 countries. I firmly believe in this motion that Taiwan be allowed to participate as an observer in WHO. I want our people to be safe when they travel overseas or to Taiwan and I want the Taiwanese people to be safe.

The SPEAKER—Before I call for a seconder, let me point out to the member for Fairfax that I was in conversation with the Leader of the Opposition, as he may have observed. As a result I did not call on the member for Fairfax to move the motion.

Mr SOMLYAY—I move:

That this House calls on the Government to:

(1) congratulate Taiwan on its substantial achievements in the field of health and its many contributions to world health care;

(2) acknowledge that Taiwan’s contributions to world health care could be made much more effectively and with much broader scope under the auspices of the World Health Organisation (WHO);

(3) acknowledge the need for a fully-integrated global health care system and the undesirability of Taiwan’s exclusion from this system, particularly in the light of the current Severe Acute Respiratory Syndrome crisis;

(4) recognise therefore, that Taiwan’s participation as an observer in the WHO would not only benefit the people of Taiwan, but also leave no loophole in the world health care network; and

(5) help Taiwan find appropriate and feasible ways to participate meaningfully in the WHO.

The SPEAKER—Is the motion seconded?

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

Mr DANBY (Melbourne Ports) (12.56 p.m.)—This motion on Taiwan and the World Health Organisation is well timed. Over the weekend, dramatic news came in the form of another 80 reported cases of SARS in Taiwan and a further eight deaths. In examining the spread of the dreadful SARS virus throughout Asia, one of the most alarming facts is that, despite Taiwan’s great efforts in this area, the virus continues to spread there. It is extremely regrettable, as the member for Fairfax said, that politics has been able to get in the way of globalised concerns about health. Unfortunately, in the last few weeks, the World Health Assembly in Geneva yet again failed to get on the agenda—for the seventh time, under Chinese pressure on this vital issue—an item to let
Taiwan gain observer status at the World Health Organisation. Surely those of us who support a one China policy, who support China being part of the World Trade Organisation and who want China to be part of the world economy can at the same time say that this denial of basic health information by the World Health Organisation to an island of 23 million people cannot be tolerated in a globalised world. The failure of the WHO to act on the SARS epidemic in Taiwan in my view impinges on the organisation’s ability, in an era of globalisation, to ensure the health of peoples in all its member states. It harms the medical welfare of the 23 million people of Taiwan, who are excluded from the organisation, and limits Taiwan’s ability to share its resources in the health field with other people.

In my view it is quite inconceivable that there is no flow of WHO information, medical advice and supplies to the 23 million people of Taiwan because of this non-involvement of the World Health Organisation. After all, Taiwan has a population larger than that of 75 per cent of the WHO member states. Taiwan is excluded from the WHO’s Global Outbreak Alert and Response Network. Through this mechanism, the WHO transmits reports of current outbreaks to, and receives important health data from, public health professionals and global surveillance partners worldwide. This lack of information sharing has had consequences previously, so it is not simply about this issue of the SARS virus. We remember the enterovirus epidemic that struck Taiwan in 1998. It came from Malaysia and infected over 1.8 million Taiwanese people, hospitalised 400, caused the deaths of 80 and resulted in $1 billion in economic losses.

Now the Australian government has made the peculiar Yes, Minister response to Taiwan’s exclusion from the WHO, saying that it will consider the admission of Taiwan to the World Health Organisation when there is a consensus on that admission. Surely it is in the interests of a globalised world, in the interests of people who are travelling between Australia and Taiwan on business and as tourists, in the interests of people who are travelling from Taiwan to mainland China and in the interests of all of us that Taiwan has access to the latest health information, particularly how to deal with the SARS virus.

I note that the Chinese government now takes the SARS epidemic and cover-up very seriously. The health minister, Zhang Wenkang, and the Beijing mayor, Meng Xuenong, were both cashiered by the Chinese government for their failure in this SARS outbreak in China. As Mr Lampton, Director of China Studies at Johns Hopkins SAIS and the author of The Politics of Medicine in China in 1977, said in the Wall Street Journal recently:

"... Messrs. Hu and Wen have sought to be more populist leaders calling for more social and economic equality and paying more attention to those elements of Chinese society left behind in the last 25 years’ rush to riches. The new leadership in China really has the chance, by tackling China’s failure to handle the SARS outbreak, to tackle the health care inequities that underlie China’s role in the current crisis. One contribution the new Chinese leadership should initiate is a more open-minded attitude to Taiwan being part of a globalised health system through observer status at the World Health Organisation."

Mr LLOYD (Robertson) (1.01 p.m.)—I am pleased to rise today in support of the member for Fairfax’s motion. I am pleased to see that there are so many members in the chamber today whilst this motion is being debated—members who are associated with the Australia-Taiwan Parliamentary Friendship Group. What we are talking about here is not a political issue; it is a health issue, as
Taiwan has been seeking to fulfil its responsibilities to its constituents—23 million people—and as a responsible member of the world community by being admitted as an observer at the World Health Assembly in Geneva. Unfortunately, as heard previously, this has been rejected for the seventh time.

Taiwan’s population is larger than 75 per cent of the World Health Organisation member states. Taiwan is an important Asian trade and transportation centre, with hundreds of thousands of inbound and outbound commuters each year. This application to be admitted with observer status is not prerequisite on having UN membership or participating in the World Health Organisation. Already the Cook Islands and Niue are both full members of the World Health Organisation, despite the fact that neither is a UN member state. Obviously, Taiwan understands Australia’s one China policy. We are not talking about that today; we are talking about the health concerns. Taiwan is seeking observer status in the WHO as a health entity, without seeking to change any government’s one China policy. It is an important request and, unfortunately, the SARS virus has highlighted these concerns and how important it is for Taiwan to be admitted as an observer to the World Health Organisation. Media reports today indicate that the death toll in Taiwan has now reached 72, which is an absolute tragedy. A number of new cases have been confirmed today.

It is interesting that, from the time of Taiwan’s first SARS case in March 2003, they began contacting the World Health Organisation to report the situation and to request advice and assistance. The World Health Organisation, however, did not respond to their communications and gave them no support. They referred to Taiwan as a province of China and were dealing directly with China. They are quite within their rights, of course, to do that, but there is virtually no communication between mainland China and Taiwan at this stage, so any information that was provided to China was not passed on to Taiwan. It was some time until the World Health Organisation agreed to allow two experts to travel to Taiwan to assist them in their battle against SARS. Of course, this is a world problem; it is not just a problem for Taiwan. Every effort that can be made to ensure that all areas are given up-to-date information and assistance is important because Taiwan have important trading cultural links with Australia. There are many hundreds of thousands of travellers who travel to Taiwan and through Australia, and we have seen how quickly the SARS virus can be transmitted throughout the world.

I know that Taiwan is an advanced society. I have had the privilege of visiting Taiwan. The Taiwanese have excellent medical facilities, and all they were seeking was further information and assistance from the rest of the world through the World Health Organisation to assist them in dealing with the SARS virus. In conclusion, I would also like to pay tribute to Vanessa Shih from the Taipei Economic and Cultural Office for keeping us all informed of what is happening in Taiwan with the tragic SARS virus. I am very pleased to see that Vanessa is actually in the chamber today to hear this debate.

Mr QUICK (Franklin) (1.06 p.m.)—I am proud to stand up in the House today and be associated with the honourable member for Fairfax’s motion. I thank him for raising the issue. I, like many in the House, have visited Taiwan—I have been there twice—and have experienced the wonderful hospitality of the Taiwanese people. I have seen first-hand the excellent standard of living enjoyed by all Taiwanese. As a key member of the global community, Taiwan is keen to play an important role in the various international forums—and so it should. Unfortunately, due
to the crazy international political set-up with regard to China—and, unlike other members, I am going to raise the issue, because I think it should be dealt with sooner rather than later—and the so-called one China policy, most nations refuse to tackle this issue but pussyfoot around it, hoping it will all go away. It is a bit like the situation with regard to Palestine and Israel: it is all too hard. Depending on who is trading with whom, you bow and genuflect and then you turn your back and do something else.

Many in this House have reservations about the effectiveness of the United Nations and the many agencies that are part of the United Nations, and I am one of them. Their inability to respond quickly and effectively to various crises around the world has been highlighted recently in the war against Iraq. We now have a ludicrous situation where a nation, Taiwan, with a population of 23 million—and half the size of my little home state of Tasmania—is totally excluded from participation in any of the World Health Organisation fora. This is a ridiculous situation when you think of some of the mickey mouse countries that are part and parcel of the UN and its various agencies.

I cannot believe that China refuses to allow the World Health Organisation to include Taiwan in the World Health Organisation’s fora even as an observer. We had the stupid situation where China had to give permission for the World Health Organisation to send representatives to visit Taiwan to deal with the outbreak of SARS. As honourable members have mentioned, we now have a situation where the number of people with SARS in Taiwan is up to 82. Goodness knows how many hundreds of Taiwanese people are hospitalised, and there are probably thousands locked away in quarantine in order that the SARS epidemic will not spread. For goodness sake, we are talking about a health risk to tens of millions of people that needs to be addressed sensibly. As the US Health and Human Services secretary said:

One lesson of SARS is that public health knows no border—and no politics.

Of course it does not, but it is ludicrous for China to be in a position to say to the World Health Organisation, ‘We’ll let you go and visit a country of 23 million people that is contributing to this worldwide, almost pandemic, outbreak.’

We have seen the devastating effect of SARS—even though we have not had any cases here in Australia—on our tourism. It is costing tens of millions of dollars, especially to Queensland and the Sydney area. Qantas has laid off 1,500 people, because of the economic impact of SARS on Australia. At least the Americans have had the gumption to stand up and say, ‘We support Taiwan.’ What have we done? We have pussyfooted behind the one China policy and said, ‘It’s all too hard.’ For goodness sake, let’s get realistic. I probably never will get an invitation to China but I do not care. This is an issue that needs to be dealt with. It is a global issue. We should get together. The World Health Organisation should say, ‘Come in Taiwan. Be an observer; you’re part and parcel of this problem. You’re trying to solve it.’ It is almost like the case of leprosy, years ago—isolate them, forget about them and hope it will all go away. I am proud to be associated with the Taiwanese people and their endeavours, and I will work tirelessly to convince as many people as possible in this House to say to the foreign minister, ‘Support Taiwan’s admission to the World Health Organisation, at least with observer status and hopefully as a full member.’ I thank the House for the opportunity to put my views today.

Mr BARTLETT (Macquarie) (1.10 p.m.)—I rise to speak on Taiwan and the World Health Organisation. Article 1 of the
Constitution of the World Health Organisation states one of its key objectives as being:
... the attainment by all peoples of the highest possible level of health.

Given that objective, it is most disappointing that time after time Taiwan’s bid for observer status at the World Health Organisation has been defeated, as recently as last week, effectively depriving Taiwan’s 23 million people of the objectives that should apply to all people that ‘all peoples should have the highest possible level of health’. This is not a political issue; it is a health and humanitarian issue for Taiwan’s 23 million people and for the world more broadly.

There is no reason at all for Taiwan not to be given observer status and, in fact, there is every reason that it should be accorded that status. It has a strong record in taking seriously its own role in improving the health of its own people and health more broadly around the world. Firstly, there is the high standard of health care in Taiwan itself, its commitment to health research and its research into life-saving pharmaceuticals. Secondly, there is its commitment to sharing its resources and its knowledge with other people in need around the world. Between 1995 and 2002, Taiwan spent $120 million in humanitarian and/or medical aid in many countries around the world. It has medical teams working in a number of Third World countries attempting to raise the level of health in those countries. It is actively involved in international programs aimed at the eradication and reduction of a number of diseases—malaria, AIDS, yellow fever and tuberculosis.

The political arguments about statehood are not relevant in this context. The World Health Organisation’s constitution talks about the rights of all peoples to the ‘highest possible level of health’. Observer status has been given to other non-state entities; observer status certainly should be given to Taiwan. Increasingly, international movement around the world means that we are all more susceptible to the international spread of disease. There is no sense at all for a country of 23 million people, especially a country that is such an important economic hub—a hub of trade and travel in the Asian region—to be excluded. The spread of SARS shows what can happen.

It is appalling that Taiwan’s report to the World Health Organisation in March received no response until May. They should have been assisted far earlier. Had that happened fewer than 72 deaths from SARS in Taiwan might have been possible. Had that happened the spread to other countries may have been reduced. It is deplorable that it was two months before any assistance was received from the World Health Organisation. There is no guarantee that in the future we might not be subjected to more virulent and more deadly viruses than the SARS virus. For the sake of the people of Taiwan, the people of the Asia-Pacific region and of the world community, we need to have Taiwan granted observer status so that the potential spread of such diseases can be restricted and, indeed, eliminated if possible.

Taiwan’s bid for observer status in the World Health Organisation has received widespread and appropriate support from the international community. This has included the European parliament, the US Congress and a number of other national parliaments as well as a number of major professional medical organisations such as the World Medical Association, the British Medical Association, the British Lancet and the International Paediatric Association. These organisations support the inclusion of Taiwan. Let me read comments from a couple of these organisations. In March this year, the US State Department said:
We support the goal of Taiwan’s participation in the work of the World Health Organisation, including observer status, and have long worked closely with Taiwan authorities to advance that objective.

In May this year, the 108th Congress of the United States Senate and House of Representatives unanimously passed a bill supporting ‘Taiwan’s appropriate and meaningful participation in the World Health Organisation’. The Council of the European Union working group for the Asia-Pacific region issued the comment that they endorse Taiwan’s approach to request the World Health Organisation Director-General for participation in World Health Organisation activities. The European parliament said:

...Taiwan’s record in improving health conditions and the life expectancy of its population is impressive. Taiwan should be given the right and opportunity to contribute to and benefit from the work of the World Health Organisation.

For the sake of Taiwan’s 23 million people, for the sake of the world community, it is imperative that a way is found for Taiwan to participate in the World Health Organisation.

The third part of the motion acknowledges the need for a fully integrated global health care system and highlights that the current Severe Acute Respiratory Syndrome crisis, the SARS crisis, is an absolute example of the requirement for that. These sorts of public health issues in the global sense know no borders. They are not interested in the politics of the situation. For a country of 23 million people to be somehow isolated from a world effort for a disease that, as has been illustrated by this debate, concerns us all is a nonsense. It is important not only for the Taiwanese people but also for the people within our region that there is a requirement to get over the impediments that affect the way in which Taiwan can actively take part in global public health issues.

The fourth part of the motion recognises that Taiwan’s participation as an observer in the World Health Organisation not only benefits the people of Taiwan but also leaves no loophole in the world health care network—the point that I have just illustrated. The fifth and final point asks this House to call on our government to help Taiwan find appropriate and feasible ways to participate meaningfully in the World Health Organisation. The House is asking the government to be proactive on this issue, not reactive. This is not an issue where we should wait for a consensus to develop; we need to be actively involved in trying to find ways in which we can get through this impasse.

In my time in this place, I have been lobbied on many issues that are of a foreign affairs nature. But this issue has always struck me as a fairly modest request by a government that should be able to be resolved. The Taiwanese people have only asked that they be given an observer status that would enable them to participate in the WHO and the
World Health Assembly. The present political problems between the People’s Republic of China and Taiwan are no impediment for Taiwan to be involved in other organisations. For example, they are involved in the World Trade Organisation as a customs territory, in the International Olympic Committee as a sports organisation and in APEC as an economy. That is why they, in this debate, have coined the phrase ‘public health entity’. They see this not as a question of sovereignty, not about membership of the World Health Organisation, but about participation.

As I said, I believe this is something that the wider world community should be able to work towards. It is interesting that motions by the European parliament and the United States administration, after motions in the Senate and the House of Representatives, have indicated support. One has to ask, after the events of last week at the World Health Organisation when, for the seventh time, Taiwan was denied observer status, what is the problem? Whilst we have tried to be divorced from the political aspect of this and tried to make it just a question of the public health aspect, perhaps we need to engage with the People’s Republic of China and ask them to consider that there would be an advantage in the political debate if they were to indicate their support for Taiwan’s participation in the World Health Organisation, with observer status, as a way of commencing meaningful dialogue, the type of dialogue that will be required to eventually see a resolution to the political problems that exist. It is a nonsense and a public administration fiction for the World Health Organisation to send observers on the basis that they gain permission of mainland China on the basis that Taiwan is a province of China. This is something that we should all support. *(Time expired)*

Mr KING (Wentworth) *(1.21 p.m.)*—I rise to support this motion before the House which, at its heart, seeks to ensure that the 23 million people of Taiwan are accorded access to the international system of health care that we in Australia and those in most corners of the globe are entitled to receive. Since its establishment in 1948, the WHO has been at the forefront of international efforts to improve the health of the world’s citizens and reduce the dreadful toll from disease, particularly in those developing nations that lack the resources to undertake these tasks from within their own resources.

Without question, the fight against diseases like malaria, cholera, smallpox, leprosy and HIV/AIDS have all been strengthened by the work of the WHO, sometimes with spectacular results. I think of the eradication of smallpox in this context. Just last week, we witnessed the successful conclusion of negotiations that have led to a treaty on tobacco control for the first time.

The WHO was established because the international community recognised that access to high quality health care is a fundamental right. Equally, the nature of the spread of disease makes absolutely necessary the cooperation of health authorities, both regionally and globally. These axioms are recognised in the constitution of the WHO which has, amongst its principles, the statement that:

The enjoyment of the highest attainable standard of health is one of the fundamental rights of every human being without distinction of race, religion, political belief, economic or social condition.

Article 1 of that constitution also makes clear that the objective of the WHO is to secure these rights for ‘all peoples.’ These are noble and correct principles. Yet, this motion is before our parliament because the WHO is failing in meeting those objectives while the people of Taiwan remain excluded from the workings and councils of that organisation.
All of us in this place are familiar with the history of the tension that exists between Taiwan and the People’s Republic of China. Most in this chamber are members of political parties that have been clear in their support for Australia’s longstanding One China policy. However, these two factors should not mean that the people of Taiwan are penalised in an area as basic and fundamental as the provision of those health care services. I would remind the House that what this motion seeks, and what the Taiwanese also ask for, is no more than observer status at the WHO—not full membership, but at least the opportunity to attend and learn from that organisation’s programs and meetings.

This motion acknowledges that the Taiwanese government and other local Taiwanese authorities manage what is an excellent health care system. Earlier this year, I had the great privilege to travel to Taiwan as a guest of its government and parliament. While there, our delegation visited the Tzu Chi University in the east coast city of Hualien, which includes a major medical school. From that experience I can say that many Australian medical students would envy the resources and quality of education provided in Taiwan to its aspiring medical professionals. Therefore, some may ask whether the WHO may actually add value to what is already a high quality health care system in Taiwan and whether advancing observer status for the Taiwanese government is worthy of our attention.

Leaving aside for a moment the WHO’s core objective of assisting all people and the universality of what it regards as a fundamental human right, the motion before the House draws attention to practical reasons why the people of Taiwan would directly stand to benefit from their government’s participation in the WHO—namely, the practical example of the SARS epidemic. Unfortunately, Taiwan has not been immune from the impact of SARS, which has struck around the world with little regard to the quality of the local health system. Over 70 people have died in Taiwan already from SARS and perhaps more than 10 times that number have contracted the disease.

The World Health Organisation has correctly played a leadership role in coordinating international efforts to contain SARS and to provide vital advice to those nations and medical authorities that have had to cope with the disease and the associated public concern. That assistance has been provided to every region where the disease has been discovered, both quickly and efficiently—that is, unless you happen to live in Taiwan. Taiwan’s status as falling outside the WHO and the diplomatic environment in which these matters are considered has meant that WHO support for Taiwanese medical authorities has been slow in coming and low key. This week, as the World Health Assembly meets in Geneva at its 56th congress, Taiwan will again be excluded despite the prominence that SARS has had at those deliberations. SARS has demonstrated that these kinds of diseases, which respect no borders or the vagaries of international politics, can affect places no matter whether their health systems are well developed or still developing. The people of Taiwan should not be excluded from the benefits of the international system established to counter these types of threats to human life and welfare.

Australians and Taiwanese have long had friendly and close relations. We have benefited from the economic relationship that exists between our two economies and we have all welcomed the emergence of Taiwan as one of the region’s strongest and most vibrant democracies. Just as the WHO has allowed other entities—like the Holy See, the Order of Malta, the Committee of the Red Cross, the International Federation of Red Cross and Red Crescent Societies and
the Palestinian Authority—to become observers, it should do the same for our friends in Taiwan.

The DEPUTY SPEAKER (Hon. I.R. Causley)—Order! The time allotted for this debate has expired. The debate is adjourned and the resumption of the debate will be made an order of the day for the next sitting.

Military Detention: Australian Citizens

Mr Kerr (Denison) (1.26 p.m.)—I move:

That this House conveys to the Ambassador of the United States of America its:

(1) concern at the ongoing detention, without charge or trial, of two Australian citizens in Guantanamo Bay; and

(2) request that the United States of America advises what processes will be put in place to allow the detained Australians to be put on trial or to be released.

In January 2002, David Hicks, an Australian citizen, was captured in Afghanistan and handed over to the United States military. Later that year, Mamdouh Habib, also an Australian citizen, was detained in Pakistan but later handed over to the United States military. Each, in turn, a convert and adherent to the Islamic faith, are or were suspected by the United States of some level of involvement in assisting the Taliban government of Afghanistan or al-Qaeda during the period of military hostilities that followed the refusal of the government of Afghanistan to expel Osama bin Laden and al-Qaeda from its territory after the horrendous terrorist attack on the World Trade Centre and the Pentagon by al-Qaeda recruits.

The suppression of al-Qaeda’s bases in Afghanistan was a legitimate objective for the United States to have undertaken as part of a global campaign against terrorism. However, the United States’ conduct since the removal of the Taliban government has less legitimacy. Ironically, there have been recent reports that the embattled interim government in Kabul has met with remnants of the ousted Taliban leadership in an attempt to build a new alliance with them because of the continuing failure to meet promises made of security and pledges of rebuilding after the war.

But this House has a responsibility to speak out on a matter far closer to home. Those captured or held by the United States, including Hicks and Habib, were transferred, shackled and hooded, to Camp X-Ray at Guantanamo Bay, a US military base leased by the United States from Cuba. That degrading treatment has been widely televised. They were not accorded prisoner of war status, on the implausible basis that the conflict in Afghanistan had not been between two uniformed armies. None of the detainees have been charged with any criminal offences. Instead, they linger indefinitely, first housed in wire cages, now housed in small cells without access to courts, lawyers or relatives. Amnesty International has been denied access to Camp X-Ray.

Imagine how the United States would react if some of its citizens were held indefinitely in such conditions without the prospect of trial by any other country on the basis that its military authorities suspected them of some unspecified conduct directed against that government. Or imagine how Australia would react if our citizens were held on orders from Jakarta, Beijing or Belgrade. In fact, we know. In three well-publicised recent cases where Australians were detained in other countries the Australian government demanded consular access and made representations on their behalf for their trial or release. But in David Hicks and Mamdouh Habib’s cases our government has been complicit in the abuse of their civil rights. The New York Times has reported that Australia was reluctant to ask for Hicks’s return because it had no evidence he had broken the
law. The foreign minister has denied that report but it has the ring of truth, and certainly there has been only evasion and avoidance of this subject from the Prime Minister, the Attorney-General and the foreign minister. This is not necessary. Many other governments, friends and allies of the United States have expressed concern at their citizens being held in legal limbo in US military custody.

Hicks and Habib remain in catch-22 nightmares. The United States government claims it is entitled to detain them until the end of the war on terrorism. But this is not a war in any ordinary sense, and the claim can only mean that the United States asserts the right to impose life imprisonment on these men, without giving them access to legal representation and without putting them on trial.

David Hicks and Mamdouh Habib may have committed criminal acts. If so, let them be prosecuted according to law. If not, let them have what the constitution of the United States guarantees to all United States citizens—their freedom. They are not lesser for being Australian rather than American. I ask the House to express its respectful concern to the Ambassador of the United States, in the terms proposed by the motion. I refer to the motion and ask that the Speaker refer to the Ambassador of the United States of America this House’s concern at the ongoing detention without charge or trial of two Australian citizens in Guantanamo Bay and convey to his excellency this House’s request that the United States of America advise what processes will be put in place to allow the detained Australians to be put to trial or released.

Mr CADMAN (Mitchell) (1.31 p.m.)—This is a difficult case, I acknowledge that. But we are dealing here with something that is a little unusual for Australia, and that is the prospect of one of our citizens being involved in a terrorist organisation or, as is alleged, having links with al-Qaeda. David Hicks has been passed over to the US authorities, along with about 280 other detainees from countries around the world. These detainees have come from all nations. Australian officials have had contact with David Hicks. They have been in to see him and have had access to him.

I think that all members of the House would be terribly concerned if, by some omission, by either the American or the Australian authorities, David Hicks or anybody else were given their freedom, only to have proved at a later stage that they had been heavily involved with a terrorist organisation; there would be an outcry from the Australian people that their lives and their freedom and peace had been placed at risk by the prospect of a terrorist being allowed to go free. Therefore, I argue that due process has to be observed in examining whether or not there are links to terrorist organisations. Nobody with a hint of terrorist activity in their background is allowed to migrate to Australia. We have very stringent controls on the way in which we accept people into the country, and it is a matter of concern to the United States that these detainees are properly dealt with.

There is dispute about how they have been dealt with. The fact of the matter is that they have been dealt with under the Geneva Convention. They have not been dealt with as prisoners of war, because they have not been classified as prisoners of war under the convention. But they have been subject to the laws of war, and under those laws of war the US has categorised Mr Hicks as an unlawful combatant. I do not know what other sort of
classification you can place on him. As an unlawful combatant his role is being thoroughly investigated. I understand that within the last short period the legal commission appointed by President George Bush has been started. Three to seven military officers will constitute the tribunal, and Colonel Borch has indicated that he has been named the acting chief prosecutor. That process is now about to begin. Whether there will be charges brought against David Hicks remains to be seen.

I can only refer to access that the international press has had to the camp at Guantanamo Bay. This was reported in the Age of 23 May. It was reported that conditions—food and general conditions of care and support for all detainees—are more than adequate for prisoners of war. There is a strong description of the varieties of food, the living conditions and the opportunities for exercise and proper health and care that people have within Guantanamo Bay. There is good medical support and assistance and there is the appropriate provision for religious practice. I quote from the article:

Conditions at the prison have improved—the detainees no longer wear hoods and shackles, and each gets a copy of the Koran, plus a bed with an arrow pointing the way to Mecca.

Then, as I have said, there is a significant description of the food and conditions.

Australia must exercise real care here. The role of the Australian Attorney-General in saying that the government has had opportunities to gain access and verify Mr Hicks’s good conditions is important. We have sought to establish the legal condition of Mr Hicks and the processes are now in train for the implementation of the military commissions that the US has established, with the appointment of the acting chief prosecutor and the prospect of due legal process commencing.

Mr MELHAM (Banks) (1.36 p.m.)—I have commented publicly on the detention of David Hicks and Mamdouh Habib since they were first captured by the United States military. Mr Hicks was captured by the US military in Afghanistan in November 2001. Mr Habib was detained in Pakistan in early October 2001, before being moved to Egypt and then being held in Afghanistan before being transferred to Guantanamo Bay. Both men have now been detained without charge for almost 18 months.

From the outset, a single guiding principle has informed everything that I have said on this issue. The guiding principle is that no Australian citizen should be detained without charge. It is a fundamental legal and human rights principle that must be asserted with great vigour. It is a fundamental principle that means nothing to the Australian government when it comes to protecting the rights of Mr Hicks and Mr Habib. Instead, they have been left to rot in the legal limbo of Camp X-Ray in Guantanamo Bay.

Guantanamo Bay is truly the land of legal limbo. It provides America with a legal loophole. The people held there are beyond the reach of any American court, and so they are effectively beyond the law. They have no rights. As one American commentator remarked, there were three places the Americans could have sent the captives from Afghanistan to make sure they were stripped of any legal protections: Antarctica, the space shuttle or Guantanamo Bay.

Conditions in Guantanamo Bay are a cause for concern. There are reports that the people detained there are confined for 24 hours a day in small cells in sweltering heat. Exercise periods are reported to be limited to 15 minutes, twice a week. These conditions are in direct violation of international minimum standards for the treatment of prisoners—standards that are so generally accepted
they have passed into customary international law. Detention for that length of time without charge in such appalling conditions is both unconscionable and unacceptable.

Other countries have protested against the treatment being handed out to their citizens. In fact, Colin Powell, the American Secretary of State, is reported to have sent a strongly worded letter to Donald Rumsfeld, the Defense Secretary, noting that he was receiving a steady stream of complaints from many of the 42 nations whose citizens are being held in Guantanamo Bay. The harsh treatment of prisoners in Guantanamo Bay is underlined by the fact that they have received a lesser standard of justice than the US prisoner John Walker Lindh, who was caught fighting for the Taliban. Throughout this whole extraordinary state of affairs, the Howard government has raised no objection; on the contrary, it has endorsed the American position.

In early May the New York Times reported that the United States now wants to wash its hands of Mr Hicks. The newspaper reported Australian officials who said they were approached by the Bush administration and asked to take custody of Mr Hicks and prosecute him. But the Australian government did not want any part of the action; it just wants to brush the whole affair under the carpet and hope it goes away.

The two Australian citizens should be returned to Australia without further delay. If a case can be made that they have engaged in illegal activity, they should be tried in accordance with Australian law. If the government have evidence that Mr Hicks or Mr Habib were involved in terrorist activities, they should say as much. They must come out and clearly state what they intend to do with this matter. It must not remain unresolved and swept under the carpet.

The motion before the House today asks the United States of America to advise what processes will be put in place to allow the detained Australians to be put on trial or to be released. I am also concerned to ensure these men get a fair trial. The Economist magazine of 10 May commented that America has now had plenty of time to gather information from the inmates of Guantanamo Bay. It argues that America should now release those who pose no danger and promptly bring criminal charges against those who do. In terms of a trial, The Economist argued that the civilian courts remain the best choice. It is an argument I have maintained from the outset.

Any trial of Mr Hicks and Mr Habib must be a fair and open trial with independent judges and adequate legal representation. Anything less than this standard is a further denial of the rights of Australian citizens. I raise this point because there remains a real possibility that America will choose to set up special tribunals and, by holding the prisoners on Guantanamo Bay, the Americans have sidestepped any constitutional guarantees of due process and right to a fair trial. On 13 November, President Bush announced that non-US citizens involved with al-Qaeda would be subject to detention and trial by military authorities in a military commission. (Time expired)

Mr DUTTON (Dickson) (1.41 p.m.)—I think all Australians in this day and age realise that we now live in uncertain times. Certainly that has been the case since the tragic circumstances surrounding the bombings in the United States in September 2001 and since the tragic circumstances in relation to the 88 Australians who were killed in Bali on 12 October last year. In debating this very important motion before the House today, it is important in my view that we mention that background, the context in which this debate is taking place and the circumstances in
which these two people are being held in custody by the United States.

I want to take the time initially to acknowledge the very genuine and, I am sure, heartfelt concerns of the member for Denison and the member for Banks. I am sure that they reflect the views and concerns of the families of the people who are held in custody. I acknowledge those concerns but I ask those families, as I ask the members opposite, to recognise that the circumstances in which these people find themselves are a result of the allegations that they were a part of the al-Qaeda network, which was responsible directly for the deaths of more than 3,000 people in the tragedy on 9-11 in 2001.

The members opposite should also understand the mood in the United States at the moment—a mood which has existed in the United States for a couple of years, and perhaps even beyond that. I have spoken to the House before about a visit I made to the United States in January 2002, only a few months after the 9-11 bombings. I visited ground zero. For the benefit of this debate, the enormous feeling and sentiment which permeate right through the United States need to be understood. It is something that you can understand absolutely. This is not a traditional war that we find ourselves in; it is a war on terror, it is a war against the unknown, and it is a war against those who do not fight in traditional ways but who choose to fight in very unconventional ways. This makes very uncertain these times that we now find ourselves in.

It is very important in this debate for people to realise that this is not a conventional war, as we spoke about before. The war on terrorism will continue. We know there have been some recent terrorist attacks: a suicide bombing in Saudi Arabia only a couple of weeks ago, on 12 May, when 34 people were killed, including one Australian; another Australian was injured in a terrorist attack when eight American citizens were killed; five simultaneous terrorist attacks occurred in Casablanca, in Morocco, on 17 May, when 41 innocent people lost their lives; twin terrorist attacks targeting tourists killed nine people in Kenya in November last year; and a plane narrowly avoided being hit in a missile attack as it departed from Mombassa. All of this, in the circumstances in which we find ourselves today, really puts into some perspective the arguments and the justification from the United States for retaining custody of the two Australians in very unusual circumstances. I want to quickly touch on some points that were raised by the two members from the opposite side. I want to put some facts on the record.

The SPEAKER—Order! It being 1.45 p.m., the debate is interrupted in accordance with standing order 101. I respect the fact that the member for Dickson may want to continue but the time allotted for the debate has expired. The debate is adjourned and the resumption of the debate will be made an order of the day for the next sitting. The member for Dickson will have leave to continue his remarks when the debate is resumed.

STATEMENTS BY MEMBERS

Indigenous Affairs: Reconciliation

Mr ORGAN (Cunningham) (1.45 p.m.)—I give notice that, on the next day of sitting, I shall move:

That this House:

(1) commemorate the passing of Sorry Day and the journey of healing on 26 May 2003 and recognise the national significance of this day;

(2) recognise the passing of Reconciliation Week from 27 to 31 May 2003;

(3) recognise that the journey of healing is working to heal the wounds resulting from the forced removal of Indigenous children from
their families, a practice pursued by Australian governments throughout most of last century;

(4) recognise that the 1997 *Bringing them home* report revealed the immense harm done by forced removal of Indigenous children from their families and culture and that current governments have a responsibility to address the harm caused to those directly affected as well as to generations following; and

(5) call upon the Prime Minister to say sorry to the Indigenous people of this nation on behalf of the non-Indigenous community in order to prove that, collectively, we recognise the harm which has been done to those individuals and families and that, now and in the future, all Australians will commit to the meaningful reconciliation of Indigenous and non-Indigenous Australia.

D’Emden, Mr Peter

Mr LLOYD (Robertson) (1.46 p.m.)—In the short period I have available today, I wish to pay tribute to the life of Mr Peter D’Emden, late of Mooney Mooney, who recently passed away suddenly at the age of 72. Mr D’Emden is survived by his widow, Jill; daughter, Gail; son, Shane; and their families.

Peter dedicated his life to his family and to the service of his community. For more than 40 years he was an active member of the Mooney Mooney Rural Fire Service and for 30 of those years was captain of that brigade, making him the longest serving brigade captain in Gosford City— and, possibly, in the state of New South Wales. He was also President of the Brooklyn and District Senior Citizens Association and was, in fact, chairing a meeting of this association at the time of his sudden death. His funeral was attended by more than 200 people. The local rural fire service provided a guard of honour to their respected colleague.

I am currently seeking to have the small park area in Mooney Mooney renamed the Peter D’Emden Memorial Park as a fitting tribute to a very respected member of our small community. My condolences, and those of my wife, Kerry, go to Jill, Gail and Shane. We knew Mr D’Emden as a personal friend. He certainly made a very strong contribution to our community, and he will be sadly missed.

Australian Broadcasting Corporation: Funding

Mr MURPHY (Lowe) (1.48 p.m.)—I would like to congratulate Mr Russell Balding, the Managing Director of the ABC, for giving a punch in the nose to the editor of the *Australian*. Last Thursday, under the heading ‘What does the ABC think it is doing?’, the *Australian* attacked the ABC in relation to the request by the ABC for an extra $250 million to fund its programs. I encourage everyone to read Mr Balding’s letter in last Saturday’s *Australian*, which concludes:

… your editorial blithely advises the ABC to “look at some limited advertising” to assist with funding difficulties. I would have thought that someone so keen to invoke the ABC’s act would have bothered to read it. For your information, the act states rather simply “The corporation shall not broadcast advertisements”.

On Thursday, in an article titled ‘Aunty’s budget blues’ in the media section of the *Australian*, Errol Simper said inter alia:

Some have no doubt that if the Government believed the Senate would facilitate a dismantling of Keating’s “queens of the screen/princes of print” legislation then media diversity would obviously be an issue. They say the Government would then “play the ABC card”. They mean Canberra would attempt to counter fears about shrinking diversity in funding a greater public broadcasting presence.

As you know, Mr Speaker, the Broadcasting Services Amendment (Media Ownership) Bill 2002 is before the Senate. (Time expired)

Education: Funding

Mr CIOBO (Moncrieff) (1.50 p.m.)—I am delighted to rise to highlight one additional way the Howard government is invest-
ing in education on the Gold Coast. It was my pleasure recently to inform several of my local school principals of federal government funding to help improve the learning and social skills of schoolboys in the Nerang area. The wilderness trekking program, developed by five Gold Coast schools, has been awarded $20,000 under the Boys’ Education Lighthouse Schools Program. This federal funding is one of the largest allocations in the nation. It will be shared by Gilston, Nerang, William Duncan and Worongary state schools as well as Nerang State High School.

The funding will be used to provide an opportunity for 12- to 15-year-old boys with behavioural problems or low self-esteem to trek through the Gold Coast’s magic hinterland. While they are doing this, they will learn about self-discipline, teamwork and the value of education, as well as develop their social skills and peer relationships. This pilot program responds to evidence indicating that boys are falling behind in our education system. It is an absolute credit to the dedicated and caring teachers at Nerang, Gilston, Worongary and William Duncan. I applaud the ‘lighthouse’ schools in our local area for working together on the important issue of how to achieve the best possible education outcomes for boys. I am certain the boys will love the program, and I am pleased the Howard government can help to make it happen.

Workplace Relations: Blue Ribbon Products

Ms O’BYRNE (Bass) (1.51 p.m.)—Today, sadly, marks day 54 of the lockout of the work force of Blue Ribbon Products in my electorate in Launceston. This is a sad example of where our society has gone astray. For a democracy in the 21st century to embrace a system in which low-paid workers are left without work and with no rights is unacceptable. The 23 workers remain on a picket line, as they have for the past seven weeks. They are waiting to go back before the commission next week. They have presented their evidence but are awaiting the submission of the employers. A decision is then not expected for at least another five weeks.

Already these workers are suffering. Some have experienced relationship splits and their families are going without. Some have experienced further hardship because of means testing in relation to their Centrelink benefits. We are talking about people who work hard for wages of around $23,000 a year. The most these people can earn is $25,000. They have done nothing wrong and every day they turn up for work. They turn up, and for each day of the last 54 days they have been locked out because they will not sign the oppressive contract which has been presented to them—a contract which provides for a day rate only.

Let me tell you what happened when they did work under that. One day they worked nine hours and got paid $125. Another day, they worked for 11 hours and got paid $125. The next day, they worked for 19 hours and still only got $125. Where is the justice in this? This system is hopelessly ill-conceived and is clearly being rorted and abused. Low-paid workers, in particular, must be protected and it is quite clear that they are not.

Bronte Surf Life Saving Club

Mr KING (Wentworth) (1.52 p.m.)—On Saturday I attended the centenary ball of the Bronte Surf Life Saving Club at Darling Harbour along with 950 members and supporters. The club has a large membership and enjoys strong community support. At Bronte everyone is drawn to the beach by its beauty, the slopes of the valley and the friendliness and facilities of the club. The centenary ball, an outstanding success, was a credit to all involved. The club has never been stronger.
The story of this club began in the late afternoon of Boxing Day, 1902. William Fox of Woolloomooloo drowned at Bronte Beach. Among the distressed onlookers was John Bond, a sometime farmer, soldier and nearby resident and the first official instructor in Australia of the Royal Life Saving Society. He was conducting a course in water safety, probably for the Waverley branch of the society established in 1894. Soon after, with the help of locals, Bond set up regular beach patrols at Bronte, which became known the following year as the Bronte Volunteer Surf Life Saving Brigade. Ever since, volunteers have been saving lives at Bronte Beach.

On 7 February 1931 a time capsule was buried at the old clubhouse, which was uncovered when it burnt down in 1974. A capped message signed by the then president of Surf Life Saving Australia read:

The story of surf life saving in Australia is of heroic achievement and steady progress. It began first in New South Wales in Bronte in 1903 as a necessary adjunct to our great summer pastime, surf bathing, until it has spread like a flame throughout the continent.

I commend the club executive, led by its president, Graham Ford, honorary secretary Tony Coates, Captain Kerrie Visch and executive officer Ross Miles on their fine leadership. I warmly congratulate the Bronte Surf Life Saving Club on a centenary of service and achievement to the community of Bronte.

**Fowler Electorate: Support for Children with a Disability**

**Mrs IRWIN (Fowler) (1.53 p.m.)—**The Vietnamese Parents with Disabled Children Support Group has made a big difference to the lives of parents and their children. With the help of Cabra Vale Diggers Club, the group has produced two books in the Vietnamese language to assist parents of children with a disability. I had the pleasure of launching these two books recently. The value of the group is expressed in a song written by Phan Lan Ngoc Thao, who suffers from down syndrome. This young lady is 23 years old, does pottery and works one day a week at a doctor’s surgery. She sang this song for her friends at the launch:

Oh listen my friends  
I’ll sing you a song  
I’ll sing for all of you  
It’s about the way you make me feel  
It’s about how special you are  
And when I sing  
It makes me feel  
So happy that you are all here  
Have I told you that you are  
All so beautiful  
I’m so lucky to have such good friends  
You’re like angels all of you  
It’s so nice to have someone who’ll listen to me  
And you are always here  
Oh listen my friends  
I’ll sing you a song  
I’ll sing for all of you  
It’s about the way you make me feel  
It’s about how special you are.

There was not a dry eye at this performance. Phan Lan Ngoc Thao, your friends love you and admire you for your determination and vision for children—not only within the Vietnamese community but for all children who have a disability.

**Iraq**

**Ms GAMBARO (Petrie) (1.55 p.m.)—**I rise to give thanks on behalf of the people of the Petrie electorate to the professional dedication of our men and women of the Australian Defence Force in liberating the people of Iraq. One of my constituents, who sent an emailed message of support, has forwarded to me an unexpected and delightful response that was recently sent to her from the HMAS *Kanimbla*. It reads:

I am writing to thank you for your kind words for the job we have been doing here in the gulf.
Knowing that we have the support of the people back home has helped us through these hard times which have taken us away from our family and friends.

We, onboard Kanimbla are very proud of the job that we have done here and feel even more pride when we receive words of encouragement from our beloved nation.

I apologise for the delayed response, but as you can imagine, we have been slightly busy. Please find attached a picture of the ship here in the gulf, it has not always been smooth sailing.

Once again, thank you.

To our ADF we say: ‘Welcome home and well done! It was no easy task but one in which you demonstrated great valour and honour, and you have done all Australians proud.’

**Charlton Electorate: Morisset Community Festival**

*Ms HOARE (Charlton)* (1.56 p.m.)—

Yesterday I had the pleasure of participating in and formally recognising and affirming the Morisset Community Festival in the electorate of Charlton. This is the third year that the community festival has been run. It is a day that encourages family togetherness as well as community togetherness, with no expense to those who attend. There are many groups involved such as Rotary, Lions, Meals on Wheels, the fire brigade, the local high schools and primary schools, scouts, church groups and other community organisations. All of the stalls were working for the community and there were no commercial stalls of any kind.

We encourage the community to get together in fun and friendship, and the Morisset Community Festival does this. I would like to congratulate the Morisset Community Festival Committee, led by Len Bradshaw and with hard workers such as Jan Yates and Janet Yates. They are a credit to their community. These festivals would not happen if it were not for the hard work of people like Len, Jan and Janet. I congratulate them.

I was also involved in the judging of a poster competition from the local schools. I was very pleased to be involved, along with other community members. It was a great day. I also thank the Westpac Rescue Helicopter Service, which landed in the oval at the festival and gave great joy to many of the children and families who were participating.

*(Time expired)*

**Thredbo: Telecommunications Infrastructure**

*Mr NAIRN (Eden-Monaro)* (1.58 p.m.)—

People may remember that, in the January bushfires, the town of Thredbo in my electorate of Eden-Monaro was cut off from all telecommunications because part of the telephone line to Thredbo was an aerial line, which was burnt out. Following that fire, Telstra immediately tried desperately to go in and put the rest of that cable underground. They put in a temporary cable so that we could get communications back into Thredbo, and they tried to get a permanent cable underground so that it would not be threatened in future bushfires or throughout the winter. Here we are, with snow already falling last week, and nothing has been done. I put out a press release on Wednesday and, miraculously, that afternoon the New South Wales government said yes, it is OK for Telstra to go ahead.

It is too late to put in a permanent line underground—much too late. That should have been done two or three months ago. But Telstra, as much as they have tried, have been mucked around by the New South Wales government for that period of time. They were in there on Friday, once again putting a temporary aerial line in, which will maintain communications—but it is not a permanent line. This is something that the New South Wales government guaranteed Telstra would be able to do when the...
be able to do when the bushfires were over. They were not able to do it. They have been stopped along the way from putting in these vital communications for the people of Thredbo. The people of Thredbo are very angry that they do not have the security of a permanent line underground. The New South Wales government needs to get onto its agencies and ensure that this can be done.

(Time expired)

Health: Gene Sequencer

Mr DANBY (Melbourne Ports) (1.59 p.m.)—I want to commend Dr Agnes Bankier and Dr Martin Delatycki for the Tay Sachs launch we recently had in Hotham Street, Melbourne. The gene sequencer they have been able to buy with the help of the Department of Human Services and fundraisers in my community will be of great assistance to the Victorian community and to people in my electorate.

The SPEAKER—Order! It being 2.00 p.m., in accordance with standing order 106A, the time for members’ statements has concluded.

MINISTERIAL ARRANGEMENTS

Mr HOWARD (Bennelong—Prime Minister) (2.00 p.m.)—I inform the House that the Minister for Foreign Affairs will be absent from question time today and tomorrow. The minister is returning from the Middle East and will visit Sri Lanka en route to meet the Prime Minister and other ministers. The Minister for Trade will answer questions on his behalf. I also inform the House that the Minister for Industry, Tourism and Resources will be absent from question time today and tomorrow due to surgery. The Minister for Small Business and Tourism will answer questions on his behalf.

GOVERNOR-GENERAL: RESIGNATION

Mr HOWARD (Bennelong—Prime Minister) (2.00 p.m.)—by leave—I wish to make a statement to the House regarding the resignation of the Governor-General. I formally advise the House that I have received, as announced, a letter from His Excellency the Governor-General informing me that he wishes to resign from the office of Governor-General and asking me to advise Her Majesty the Queen that his commission as Governor-General of the Commonwealth of Australia should be revoked. I table the letter from the Governor-General.

As a consequence of the advice I have received from His Excellency, I have put in train the steps to obtain the revocation of his commission, and his resignation as Governor-General will formally take effect later this week when the revocation is signed. As he foreshadowed in his statement yesterday afternoon, the Governor-General will seek to give an address to the Australian people later this week. I saw the Governor-General at Government House this morning to discuss transitional arrangements and it has been agreed that he will make arrangements to leave Government House by not later than 30 June. He must, as honourable members will be aware, make alternative accommodation arrangements. He did offer in the course of our conversation this morning to pay the Commonwealth board for the period between his resignation and 30 June. He must, as honourable members will be aware, make alternative accommodation arrangements. He did offer in the course of our conversation this morning to pay the Commonwealth board for the period between his resignation and 30 June. He took the view that, although that was a generous offer on his part, particularly having regard to the illness of his wife it was an offer that I would not take up. But I want to record my appreciation of the gesture of the Governor-General in making that offer.

This has been a difficult issue for a number of people, not least of course for people who have been touched by the trauma of
child abuse. It has also been a very difficult issue for the Governor-General. I want to record my gratitude to Dr Peter Hollingworth for having placed the strength of the office of Governor-General and considerations attending that above his own personal comfort and consideration. I believe that, given all of the circumstances, his decision to offer his resignation was correct. It is the right decision to take in the circumstances. It is his decision and a decision in which I believe he has placed concern for the office and his sense of obligation and duty to the Australian people above other considerations. Much has been said about his behaviour both before he became Governor-General and since being appointed. It is undoubtedly the case that he made a very serious mistake as Archbishop of Brisbane—an error of judgment that he acknowledged more than a year ago. I think it is also fair to say that in public life in recent memory no person has paid a higher price than Dr Hollingworth has for that error of judgment. He paid a very high price for his error of judgment.

Mr Martin Ferguson interjecting—

The SPEAKER—I warn the member for Batman!

Mr Howard—I think it is important, notwithstanding the natural revulsion that all of us feel on the issue of child abuse, to keep some of the events surrounding the Governor-General in proper perspective. Child abuse remains a problem within our community but a problem that is not confined to institutions. In fact, most of the contemporary available evidence suggests that the greatest level of child abuse—both in the past and at present—occurs within the domestic environment. It remains the very strong view of this government that the most appropriate way to tackle and ameliorate the problem of child abuse within our community is for governments at all levels to have more effective early intervention programs which seek to target families at risk and families where child abuse may occur. It is also important, of course, that all institutions—and when I speak of institutions it would be a mistake to imagine that child abuse has occurred only within church institutions; any suggestion that it has been confined to those would be a complete misreading of past and very painful experience—look to their responsibilities and adopt the more transparent approach which has been the norm for at least the last decade or indeed more.
It would be doing a great disservice to many decades of commitment to the relief of human suffering if I did not take this opportunity to record in this parliament on behalf of the government my respect and admiration for all of the good work that Peter Hollingworth has done for his fellow Australians over a life of 68 years. It is worth remembering the way in which his appointment was greeted at the time, just over two years ago, because there is always a tendency, in the light of what has happened subsequently, to rewrite history, to impute knowledge, to infer an understanding and knowledge of circumstances that simply did not exist at the time. I rely in particular in making that assertion on two comments that were made at the time of the Governor-General’s appointment. The first of those came from the Premier of Queensland, who I would assume was well acquainted with matters that were well known around the city of Brisbane. He had this to say: ‘It is very great news for Queensland.’ That was the reaction of the Queensland Premier from an article in the Courier-Mail on 23 April 2001. I would also like to remind the House of what was said by the then Leader of the Opposition, the now member for Brand. This is what he had to say:

On behalf of the Federal Opposition, I congratulate the Most Reverend Peter Hollingworth ... on his appointment as our next Governor-General.

Opposition members interjecting—

The SPEAKER—Order! The Prime Minister has the call.

Mr HOWARD—Mr Speaker, I am reading from a statement of the then leader of the Australian Labor Party.

Archbishop Hollingworth has a distinguished background of service as an Anglican prelate. His fine record of community service qualifies him well for this highest of public offices.

Mr Brereton interjecting—

The SPEAKER—The member for Kingsford-Smith is warned!

Mr HOWARD—He goes on:

I am sure that Archbishop Hollingworth appreciates deeply the dispassionate role that he will play in the Australian political process in his new appointment. I look forward to a co-operative working relationship between Archbishop Hollingworth and the Federal Opposition ...

Mrs Irwin—So what?

The SPEAKER—The member for Fowler is warned!

Mr HOWARD—He goes on:

... and I feel confident that our good working relationship would continue beyond the next election should there be a Federal Labor Government.

I remind the House of those two statements to gainsay the suggestion that has been put about in some sections of the Australian community that this appointment was the subject of criticism and questioning from the very beginning. The reality is that—save and except the question of appointing for the first time to the post of Governor-General somebody who was a clergyman—the appointment was very widely welcomed on both sides of Australian politics at the time. Nothing that can now be said by the Leader of the Opposition and nothing that can now be said by those who sit opposite can alter that fact.

Mr Leo McLeay—you appointed him and he resigned.

The SPEAKER—The member for Watson is warned!

Mr HOWARD—I did give consideration to the issues relating to the separation of church and state at the time of Dr Hollingworth’s appointment.

Mr Bevis interjecting—

The SPEAKER—The member for Brisbane is warned!

Mr HOWARD—I acknowledge that some people who on all other grounds not
only supported the appointment but also had a high regard for Dr Hollingworth believed that it was wrong in principle to appoint a person of the cloth to occupy that position. I took a contrary view. I was guided in that contrary view by three precedents at a state level—namely, two former governors of South Australia and also a former Governor of the state of Victoria—and also the appointment of the former primate of the Anglican Church of New Zealand to the position of Governor-General of New Zealand. I acknowledged then and I acknowledge now that there were those in the community who held an opposite view, but that opposite view was based upon that principle, not based upon any allegations of individual unsuitability of the then archbishop of Queensland.

I do wish to take the opportunity of reminding this parliament and reminding many in the community who over the last few months have been extremely critical of the Governor-General of the fact that he has dedicated his life to the service of the less fortunate and the underprivileged within the Australian community. He made a very significant error of judgment in relation to the matter that has been under discussion and under debate, and he has paid an extremely high price for that error of judgment. I repeat: it is a higher price than has been paid by many others in the community who have been guilty of equally bad error of judgment.

There has been no evidence that has emerged that in any way has led to a fair claim of moral turpitude by the man himself. In his service in the Anglican Church, and in particular his service with the Brotherhood of St Laurence, he was a person who went about the streets of Melbourne doing good for the less privileged. He is a person who was a constant harasser of governments of both sides of politics to ensure that the social welfare policies of the day adequately reflected the needs of the less fortunate and the less privileged in the community. It would be unfair to him—and it would, I think, be contrary to the instincts and the principles of the fair go that we as Australians believe should be extended to everybody—if this opportunity were to pass without an acknowledgement being made of his contribution, particularly in that work.

I would like to thank him for the time that he has served as Governor-General of Australia. I want, in particular, given the very serious illness of his wife, to wish him and his wife, Ann, the very best for the future. There will be many Australians who will have a range of views on different aspects of this matter. I hope that all Australians recognise that the totality of a person’s contribution to humanity should be measured by the sum of what they do in all of their life. If you look at the sum of Peter Hollingworth’s life, it has been a life of great commitment to this country; it has been a life of great service for the underprivileged; and it has been a life of great commitment to the church of his choosing. I believe it is that life, and the totality of that life, that should be properly judged in these circumstances.

Mr CREAN (Hotham—Leader of the Opposition) (2.15 p.m.)—by leave—Can I just say in response to that explanation to the House that you, Prime Minister, still do not get it, do you?

The SPEAKER—The Leader of the Opposition will address his remarks through the chair.

Mr CREAN—The Prime Minister does not get it, because whilst he says this is a difficult issue, the proposition itself is very simple indeed. It is as simple as this: you cannot have people in authority who have covered up for child sex abuse. It is as simple as that. There is nothing difficult about it. Don’t try to give us this argument about the circumstances having changed; we are talk-
ing about a failure to act in the 1990s, Prime Minister. These were circumstances in which there were, on all the evidence before us, known allegations and a failure to act by the then Archbishop of Brisbane.

Mr Schultz interjecting—

The SPEAKER—I warn the member for Hume!

Mr CREAN—Prime Minister, nothing I have heard from you in this presentation to the parliament says anything—

Mrs Bronwyn Bishop interjecting—

The SPEAKER—The member for Mackellar is warned!

Mr CREAN—that has changed the circumstances from those which we knew in February last year. Indeed, I think what is new is that for the first time you have admitted that the Governor-General made a serious mistake, and he acknowledged it a year ago. I ask the Prime Minister through you, Mr Speaker: if it was acknowledged more than 12 months ago, if it was acknowledged in February last year, why didn’t he move to get the Governor-General to resign then? There has been nothing in the proceedings subsequent that has done anything to extenuate the circumstances of the Governor-General. Indeed, all we have seen is further confirmation that what the Governor-General did when he was Archbishop of Brisbane was fail to act when he knew evidence was before him, and he covered up for a known paedophile. That is not a person fit to hold the highest office in this land, and it is as simple as that, Prime Minister.

The Prime Minister’s failure to act at that time involves him and his judgment. The Prime Minister should have acted in February last year and, more importantly, he should have told us what checks he had made of the Governor-General prior to the appointment. We have heard him make men-

tion of some names here. What were the outcomes of those inquiries? That is what we are entitled to know—particularly, given the evidence from the Aspinall inquiry, as these allegations go back some time. What inquiries were made on your behalf, Prime Minister, to establish whether or not the person that you, and you alone, were appointing was a fit and proper person to hold this office?

The Prime Minister also makes the outrageous suggestion here today that no person has paid a higher price for the inaction than the Governor-General himself. I ask the Prime Minister to turn to the victims of the child sex abuse and to their parents and ask what price they have paid. This is a price which will never be expunged. These are people who have had to live with it time and time again. As we know from all of the evidence that is coming forward now, these are people who have had to live with it in silence. They have been too frightened or proud or ashamed—call it what you want; it varies depending upon the individual—to come forward and admit what happened to them. They know it is bad, and it is hurting them. They have paid a huge price, Prime Minister, don’t come into this place and say that the person who has paid the highest price is the Governor-General. He has paid a high price, but he has paid a high price for failing to act. These people paid the price because he did not act, and that is what makes their circumstances far worse, in terms of the impact, than those of the Governor-General. You say, Prime Minister—

The SPEAKER—Leader of the Opposition.

Mr CREAN—that there is no moral turpitude associated with what the Governor-General did. I put this simple proposition: isn’t a person of authority who failed to act on issues of child sexual abuse guilty of moral turpitude? Of course he is. This was a
person in authority. This was a person to whom the allegations were made, and he failed to act. He was guilty of moral turpitude, so do not keep repeating the mantra simply because you believe it. The fact of the matter is—and we knew it back in February last year—that the Governor-General failed to act. He has admitted it, and you have admitted it. The real question is: why didn’t you act earlier?

The SPEAKER—Leader of the Opposition.

Mr CREAN—That is the real question that has to be answered today. The other question that has to be answered by the Prime Minister today is: what steps did he take to check the record and background associated with the Governor-General?

Bear in mind that these are the first words on this that we have heard from the Prime Minister in the 75 hours since the rape charges against the Governor-General were withdrawn, and bear in mind that that was the basis upon which the Prime Minister stood the Governor-General aside. We have heard nothing in 75 hours as to why the Prime Minister thinks he is still fit to hold the highest office in the land.

He wants Australia to believe that this was a decision for the Governor-General and the Governor-General alone. The Prime Minister is wrong on that count; this was a call for the Prime Minister. My charge is that he should have made the right call back in February last year because nothing new has come to the fore since then. But we have had confirmation as to why he should have acted in February last year to terminate the Governor-General’s appointment—it is a failure of leadership, and the Prime Minister cannot hide from it. He has been in hiding for 75 hours, but he cannot hide from the fact that he should have acted. He should have acted in the best interests of this nation and, importantly, in the best interests of the victims of child sexual abuse. I again heard the Prime Minister in his statement today make the point that we should be doing something for the victims of child sexual abuse. I agree. But, Prime Minister, why won’t you join in supporting Labor’s bill?

Mr Howard interjecting—

Mr CREAN—He groans. He groans at the first positive suggestion as to what should be done to address the problems of the victims of child sexual abuse.

Mr Cameron Thompson interjecting—

The SPEAKER—The member for Blair is warned!

Mr CREAN—There should be a children’s commissioner, a code of conduct and a check on people working with the victims and their families. There are many questions that the Prime Minister has not answered, and we now look forward to the opportunity to ask him those questions. What we have had here is a serious failure of leadership on the Prime Minister’s part. He should have acted in February 2002 to dismiss the Governor-General. He failed in that duty. He has failed the victims of child sexual abuse by continuing to condone, in the top office of the land, a person who covered up for a paedophile. That is what you have done, Prime Minister. That is the effect of your failing to act. You condoned a person, in the top office in the land, covering up for a known paedophile. The Prime Minister’s statement today is inadequate.

Mrs Bronwyn Bishop—Mr Speaker, I rise on a point of order. I ask you again about standing order 74. We have had many rulings in the last week, but I put it to you that the Leader of the Opposition has gone beyond the pale, even on the liberal interpretation of standing order 74 that you gave before. I ask that you rule him out of order.
The SPEAKER—The member for Mackellar has made a valid point of order. The occupier of the office of the Governor-General is still the Governor-General, and standing order 74 still applies. As the Leader of the Opposition is aware, I was at the point of interrupting him when he moved away from the criticism that was implied in his remarks. I have been listening closely to his remarks. In recognising the Leader of the Opposition, and without constraining him in any sense, I would point out that the time that was allotted to the Prime Minister has already been allotted to the Leader of the Opposition. He has the call, and he may continue, but I invite him to wind up his remarks.

Mr CREAN—I will, because there are important questions that we have to ask of the Prime Minister. We were waiting today for an explanation as to why the Prime Minister did not act more quickly. We have not been given it. There is no point going back to the beginning. What the Prime Minister has to do is to justify why he continued to hang on to a person as Governor-General of this country for the past 15 months, when the whole country now knows that the person who held that office had been guilty of covering up for a known paedophile. The Prime Minister, in failing to act, condoned that. It is a shocking message to send to the totality of the community. Finally this position in terms of the Governor-General is concluded, but we need to bring the Prime Minister’s complicity in it to the fore. The Prime Minister failed to show leadership and failed to act in the best interests of the victims of child sex abuse. In the process, he diminished the office of Governor-General in this nation.

DISTINGUISHED VISITORS

The SPEAKER (2.27 p.m.)—I inform the House that we have present in the gallery this afternoon the Hon. Bill English, Leader of the New Zealand Opposition, and an accompanying party of shadow ministers. On behalf of the House I extend a very warm welcome to our New Zealand friends.

Honourable members—Hear, hear!

QUESTIONS WITHOUT NOTICE

Governor-General

Mr CREAN (2.27 p.m.)—My question is to the Prime Minister. I ask the Prime Minister what checks he made prior to appointing Dr Hollingworth as Governor-General.

Mr HOWARD—I thank the Leader of the Opposition for that question. I did not engage in any formal vetting procedure—to my knowledge, that has not been done in relation to any other appointments of Governors-General—for a number of apparent reasons: I was well acquainted with Dr Hollingworth, he was a person who had become a public figure and he had served governments of both political persuasions. I formed a view about his character, and I heard nothing adverse about his character. He was obviously very well known in the circles of the Anglican Church. I know many people who are also connected with circles of the Anglican Church and I did not hear anything to suggest that he would be other than a totally suitable person.

Iraq: Sanctions

Mr JULL (2.28 p.m.)—My question is directed to the Minister for Trade in his capacity as Acting Minister for Foreign Affairs. Initially, what will the lifting of UN sanctions on Iraq mean for the Iraqi people?

Mr VAILE—I thank the honourable member for Fadden for his question. Australia warmly welcomes the UN Security Council’s adoption of resolution 1483, which brings to an end 13 years of sanctions against Iraq. This development should lend momentum to Iraq’s economic recovery, although it will take time for the business environment
to be normalised as the security situation improves and new governance arrangements are settled. The government is moving quickly to formally repeal measures under Australian law that implemented the old sanctions regime. While this process is being completed, companies can trade with Iraq under interim arrangements that have been put in place. We are pleased to see provisions that establish a transparent and internationally credible mechanism for the management of Iraq’s oil revenues and enable the smooth phasing out of the UN oil for food program. This will enable a smooth transition to a market based economy and will ensure that this crucial pipeline for humanitarian goods is not prematurely disrupted.

Since the oil for food program resumed following suspension as a result of the conflict, Australia has continued to provide the vast majority of Iraq’s wheat imports—so far, 400,000 tonnes through the World Food Program. It is good news for Australian wheat farmers that the UN oil for food program has been funded to run for another six months. We are pleased that the resolution unequivocally calls on the international community to assist in humanitarian relief and for the reconstruction and rehabilitation of Iraq’s infrastructure. For its part, Australia has already committed $100 million to humanitarian and reconstruction activities in Iraq. Australia has also deployed a range of Australian experts to advise on Iraq’s economic recovery, particularly in the field of agriculture.

The House should also note that, as part of resolution 1483, new obligations were imposed on United Nations member states to establish a prohibition on trade in or transfer of Iraqi cultural property illegally removed from Iraq since 2 August 1990 and to facilitate the return to Iraqi institutions of such property. The lifting of sanctions is consistent with our longstanding support for a significant, practical and value-adding UN role in Iraq, including in transitional political arrangements.

**Governor-General**

Mr CREAN (2.31 p.m.)—My question is again to the Prime Minister. It refers to his earlier answer, when he said he had made no checks in relation to his decision to appoint Dr Hollingworth as the Governor-General. Prime Minister, how does that reconcile with a statement that you made on 22 April in announcing the appointment of Dr Hollingworth, where you said in relation to that appointment:

... I sought appropriate counsel.

What counsel did you seek, and what was the advice that you obtained?

**Mr HOWARD**—It is a very interesting question. I will tell you what I did. Let me make it very clear: I accept full responsibility for the appointment. Under our system of government, in the end the appointment of the Governor-General is formally by the Queen but it is on the advice of the Australian Prime Minister. I do not run away from the fact that he was my recommendation to the Queen. I accept full responsibility for the appointment. I will not seek in any way to run away from that. Did I seek counsel? I did in fact discuss his appointment with four of my senior colleagues.

**Opposition members interjecting**—

The **SPEAKER**—There are a number of people on both sides of the House who have already been warned, the member for Bonython not among them.

**Economy: Performance**

Mrs ELSON (2.33 p.m.)—My question is addressed to the Treasurer. Would the Treasurer advise the House of the results of recent surveys of business and consumer sentiment and how economic policy affects sentiment?
Mr COSTELLO—I thank the honourable member for Forde for her question, and I can advise her that both consumer and business sentiment continue to be solid in Australia. The Westpac Melbourne Institute consumer sentiment index increased 1.9 per cent in May to a level about 10 per cent above its long-term average, which the authors of the survey said resulted in a string of positive developments since April, including a higher Australian dollar, share market gains, lower petrol prices and low interest rates. Business sentiment is also resilient, with the National Australia Bank monthly business survey released on 12 May showing that the index moved up one point to a measure of 0.6—a level that the National Australia Bank says is consistent with ongoing growth in the non-farm sector of around four per cent. The National Australia Bank says that it shows resilience, notwithstanding a weak and deteriorating situation evident in surveys in countries such as the United States, Europe and New Zealand.

One of the benefits of the government’s economic management over the last seven years has been the reduction in Commonwealth debt from the $96 billion of net debt that the Labor Party left in 1996, which will have been reduced in net terms by $63 billion by the end of this financial year. Because of the reduction in Labor debt, the Commonwealth is now saving some $5 billion in interest payments. When this government was first elected, interest payments on debt were around $8.4 billion; today, they are $3.4 billion. It is an annual saving of $5 billion, which this government is able to direct to assistance for families, for children, for hospitals and for schools now that we are lifting the dead hand of that Labor debt from the community. The Australian economy continues to lead, with a balanced budget brought down two weeks ago and, in addition to that, income tax relief which was also announced in that particular budget, keeping Australia at the forefront of the developed economies of the world.

Mr CREAN (2.35 p.m.)—My question is to the Prime Minister. I ask: in the 12 months prior to the Prime Minister recommending the appointment of Dr Hollingworth as Governor-General, what inquiries did the Prime Minister make—or were made on his behalf—of any person within the organisation of the Anglican Diocese of Brisbane concerning Dr Hollingworth’s activities and performance in his role as Archbishop of Brisbane and/or his suitability for appointment? I ask the Prime Minister: what was the outcome of those inquiries and what action did he take in relation to them?

Mr HOWARD—If I heard the Leader of the Opposition’s question correctly, he said the 12 months prior to his appointment. There would have been no reason, a year before his appointment—

Mr Crean—The 12 months prior to; any time.

The SPEAKER—The Prime Minister has the call!

Mr HOWARD—I thought I would point out to the Leader of the Opposition that, self-evidently, I would not have started making inquiries, if I had been engaged in a formal vetting procedure, in relation to anybody that far out from an appointment. But I refer him to the answer I gave to his first question.

Mr Crean—You don’t like this, do you?

Government members interjecting—

The SPEAKER—Leader of the Opposition.

Mr Crean—What do you have to hide?

The SPEAKER—Leader of the Opposition!

Mr Crean interjecting—
The SPEAKER—The Leader of the Opposition deliberately chooses to defy the chair! He will be able to accompany the member for McEwen shortly.

Transport: Driver Education

Mr BALDWIN (2.37 p.m.)—My question is addressed to the Deputy Prime Minister and Minister for Transport and Regional Services. Would the Deputy Prime Minister advise the House of the response to proposals for increased young driver education that he put forward to the Australian Transport Council at its most recent meeting?

Mr ANDERSON—I thank the honourable member for his question. I know that all of us in this House will be concerned that we, as a nation, take seriously the issue of road deaths. We have made good progress since the 1970s in cutting the road toll, particularly in relation to the kilometres that we travel and the motor vehicles that are on our roads, but in recent times the numbers have plateaued out. In a serious attempt by all governments to try to lower the death rate, particularly amongst young people, I am delighted to inform the House that, at last Friday's Australian Transport Council meeting in Melbourne, state and territory ministers agreed to the general proposition that young drivers be required to undertake further intensive training after they have started driving. The meeting agreed to study experiences here and, more importantly, overseas of methods of improving driver attitude. The joint research and development organisation, Austroads, has been tasked to develop a more detailed program.

The program envisaged would provide drivers with a better insight into the risks that they face and their own limitations. Vehicles have proved to be lethal weapons sometimes misunderstood, particularly in the hands of young people. The aim is, of course, to particularly address attitudinal and other problems of young drivers in their understanding of what they are controlling on the roads when they are at the wheel. In a set of figures that I have only recently been advised of, which I think will concern the House enormously, drivers in Australia aged between 17 and 20 are 11 times more likely to die on the roads than those aged between 40 and 49. Some one in three deaths amongst young Australians aged between 15 and 24 is as a result of a road fatality. While the focus on fatigue and the inappropriate use of speed is absolutely right and must be continued, we believe this proposal, properly developed, can help to equip young drivers to become more aware of just how dangerous and risky driving can be. It is proposed that drivers would have to complete their program within six months of first obtaining their licence.

I am also delighted to be able to say that the Australian automotive industry, which has received a lot of praise recently for its export performance, amongst other things, can claim a lot of credit for this. It was in this very building that I sat down with some of the CEOs of the Australian automotive industry and this idea emerged. I particularly thank Geoff Polites of Ford for his initial enthusiasm and I thank the Federal Chamber of Automotive Industries and parts of the insurance industry too for getting behind it very strongly. If we can think laterally and do more to better educate our young people who drive on our roads, I believe it is beyond doubt that we can save further casualties, accidents and lives. Every life saved, all of us would agree, would be very worth while.

Governor-General

Mr CREAN (2.40 p.m.)—My question is to the Prime Minister. Prime Minister, given the seriousness of child sex abuse, why didn’t you dismiss the Governor-General when it became clear in February 2002 that
Dr Hollingworth had been involved in covering up the actions of a known paedophile?

Mr HOWARD—I made the judgment then and—as the Leader of the Opposition has done and as others have done—it has been heavily criticised. Given what I knew at the time and what had been put to me not only by the Governor-General but also publicly and also having regard to the fact that on the evidence available to me—and I do not think that has been subsequently disputed—the person in question did not reoffend after his entry into the priesthood, I took the view that an error of judgment alone, serious though it was, in an earlier occupation, was not sufficient grounds to warrant his dismissal. That was the decision I took then. I believed it to be right then. I still believe that that decision was right. That formed the basis of the judgment I made, and repeated recently: that he had not behaved in a way, during his tenure of the office of Governor-General, to warrant his dismissal. That was the decision I took then. I believed it to be right then. I still believe that that decision was right. That formed the basis of the judgment I made, and repeated recently: that he had not behaved in a way, during his tenure of the office of Governor-General, to warrant his dismissal. That was the decision I took then. I believed it to be right then. I still believe that that decision was right. That formed the basis of the judgment I made, and repeated recently: that he had not behaved in a way, during his tenure of the office of Governor-General, to warrant his dismissal. That was the decision I took then. I believed it to be right then. I still believe that that decision was right. That formed the basis of the judgment I made, and repeated recently: that he had not behaved in a way, during his tenure of the office of Governor-General, to warrant his dismissal.

Dr NELSON—I thank the member for Mitchell for his question and his very strong commitment to the University of Western Sydney. His enthusiasm for higher education is matched, if not exceeded, only by his commitment to the 70 per cent of young people who do not go directly from schools to university, instead going to TAFE apprenticeships and work. The government announced in the budget a transformational package of reform for Australian higher education to drive the nation’s economic and social development. It includes $1.5 billion of extra public funding in the first four years and $10.6 billion extra public funding in the first decade.

The response to the package has been generally very supportive. For example, Professor Schreuder, President of the Australian Vice-Chancellors Committee—and these are the men and women who live and breathe Australian universities, who have committed their entire lives to the very best that Australian higher education can offer—said that it was:

... now critical that the Parliament legislate to adopt this comprehensive policy and funding transformation package to create an internationally competitive system of universities, diverse by missions but excellent in outcomes.

On 15 May, the Australian, in editorialising, said:

The idea of change might frighten some academics but Dr Nelson’s reforms offer them a unique chance to help their institutions grow and prosper. It is a chance that all who believe Australia needs a world-class university system must embrace.

The Australian Financial Review on the same day said in part:

The reforms offer the universities the chance of a richer and more fertile future. They should grab it
and the Senate and the states should not stand in their way.

In the Age on 22 May, Professor Peter Doherty, a Nobel laureate with one of the finest academic and scientific minds this nation has produced, said:

After a process of wide consultation, our democratically elected Government has spoken on the issue of funding higher education. The Brendan Nelson recommendations offer a way out of what was rapidly becoming a national disaster.

The three critical messages that the government is delivering in Australian higher education are, firstly, that it is investing another $1½ billion of hard-earned Australian taxpayers’ money in Australian universities; secondly, that it is increasing the number of places that are available for Australian students—the number of HECS places will increase by 31,500 in the first five years, including fully funding 25,000 marginally funded over-enrolled places; and, thirdly, that, for the first time, the government will make student union membership voluntary. The government will expand the HECS system so that no student will pay any kind of fee when they get to the university gate; instead, they will pay it only when they leave university as a graduate earning, on average, $622,000 more over a lifetime. For the first time, for the fewer than two per cent of students in Australian universities and for those who choose to go to the 84 private higher education institutions, the government is prepared to offer those students a loan that they will pay back only when they graduate. Absolutely no student—or, indeed, their parents or families—will be required to find the money when they get to the university door.

The SPEAKER—Apparently the Leader of the Opposition is to be denied the call by either the member for Swan or the member for Port Adelaide.

Mr CREAN—Why was it necessary for Dr Hollingworth to stand aside as Governor-General when allegations of rape were made against him but was not required to stand aside when it was clearly shown in February 2002 that Dr Hollingworth had covered up the actions of a known paedophile within the Anglican Church?

The SPEAKER—As the member for Mackellar has already pointed out, Dr Hollingworth remains the Governor-General and is entitled to the protection of standing order 74. His reputation shall not therefore be impugned by the way a question is framed.

Mr Snowdon interjecting—

The SPEAKER—The member for Lingiari is warned! I have exercised a good deal of tolerance in the way in which the last question by the Leader of the Opposition was framed. I merely point out to him that standing order 74 requires him not to reflect on the character of the Governor-General.

Mr McMullan—Mr Speaker, I rise on a point of order. I understand that we are treading a very difficult course because we are in a unique set of circumstances, but it cannot be a breach of standing order 74 to say in this place about the Governor-General what he has said himself and what the independent inquiry of the Anglican Church has said. The Leader of the Opposition must be able to go to independent reports that have been brought down and that have made findings even if they are adverse to the Governor-General. I understand the unique situation that the standing orders raise, but it cannot be the case that we cannot raise in the House of Representatives what is being raised in every other house in Australia.
The SPEAKER—I would point out to the member for Fraser that at no stage in my comments have I ruled the Leader of the Opposition out of order or his question out of order. I have instead merely asked him to exercise the constraint that invariably goes with standing order 74, given that Dr Hollingworth remains the Governor-General and standing order 74 remains in place. His question could have stood without the imputation in the latter part of it.

Mr CREAN—In addition to the first part of my question, I ask the Prime Minister in response to his last answer when he said that he made the right judgment at the time not to ask him to go: what has changed in the last 15 months that now makes it appropriate for him to go?

Mr HOWARD—What I said that I had formed a judgment about was whether grounds existed for me to recommend his removal to the Queen. I would point out that the Governor-General is resigning not as a result of a recommendation by me to Her Majesty, but rather as a result of his own decision.

Workplace Relations: Small Business

Mr SECKER (2.50 p.m.)—My question is addressed to the Minister for Employment and Workplace Relations. Is the minister aware of the ACTU’s new redundancy claim and the additional costs this will impose on small businesses? What impact will this have on jobs for Australian workers if successful?

Mr ABBOTT—In response to the member for Barker, let me say that this is a government which encourages employing people, not retrenching people. This is a government which wants people to earn more and to keep their jobs rather than to lose their jobs. I am aware that the ACTU has now launched a test case before the Australian Industrial Relations Commission to double the standard redundancy entitlements from eight to 16 weeks, to extend redundancy entitlements to casual workers for the first time and, worst of all, to extend redundancy entitlements to the employees of small business for the first time. There are more than half a million small businesses in Australia which employ people. That is half a million small businesses that face the spectre of significantly increased contingent liabilities if this claim goes through.

Every small business with an employee of more than six years standing faces a contingent liability of more than $6,000 per person if this claim goes through. As everyone in small business knows, if you cannot afford to let people go, you cannot afford to take people on. How can the ACTU say that it supports the workers of Australia when it makes it so difficult for businesses to employ more workers? To their great credit, the Queensland and Western Australian Labor governments are refusing to support the ACTU’s claim to extend automatic redundancy entitlements to the employees of small business. Successful Labor leaders understand the value of statesmanship. They understand the value of trying to look at the national interests. I commend their example to the gentlemen opposite.

Governor-General

Ms MACKLIN (2.53 p.m.)—My question is to the Prime Minister. Hasn’t great damage been done to the office of Governor-General because you failed to take your own advice, delivered on 18 February 2002, that the allegations against Dr Hollingworth needed to be placed under a very powerful magnifying glass and people should analyse them properly? Instead, didn’t you try to cover up the issue by stonewalling and claiming that your inaction was to protect the office of Governor-General—

The SPEAKER—The member for Jagajaga is aware that last week I indicated that it
was appropriate to address remarks through the chair.

Ms MACKLIN—Didn’t the Prime Minister try to cover up the issue? Wasn’t it the case that the issue was covered up, when the Prime Minister was asked a moral question about the sexual abuse of a 14-year-old, by the Prime Minister resorting to a legal def- ence, by the refusal of the government and the Prime Minister to hold a judicial in- quiry—

Honourable members interjecting—

The SPEAKER—Order! The member for Jagajaga has the call. The member for Jagaja- jaga has the opportunity to recommence her question at whatever point she feels appro- priate. My earlier interruption was simply to say that it is obligatory under the standing orders that remarks be addressed through the chair. The reference should be to ‘the Prime Minister’, not to ‘you’. I am not attempting to frustrate the member for Jagajaga; I merely want her to abide by the standing orders. She is entitled to be heard without interruption.

Ms MACKLIN—Prime Minister, isn’t it the case that this issue was covered up through stonewalling and claiming that inac- tion was to protect the office of Governor- General, when the Prime Minister was asked a moral question about the sexual abuse of a 14-year-old, by resorting to a legal defence, by the Prime Minister’s refusal to hold a ju- dicial inquiry, by the Prime Minister’s failure to table the Aspinall report in federal parlia- ment, and then by the Prime Minister raising doubts about the findings of the Aspinall inquiry, citing concerns about natural jus- tice? Prime Minister, doesn’t this litany of inaction amount to a serious moral failure on your part?

Mr HOWARD—The answer is no, no, no. I will deal with each question. Firstly, with regard to the damage to the office of Governor-General, I prefer the judgment of the most successful Labor leader in Australia—namely, the New South Wales Prem- ier—who on radio this morning poured scorn on the idea that the matters surround- ing Dr Hollingworth had damaged the office of Governor-General. In fact, I would ven- ture the view that the way in which things have transpired has indicated the resilience and flexibility attaching to the office. So, far from it being manna from heaven for those who would want to change the system, it demonstrates one of the great strengths of the existing system—whether it is a monarchical or republican model. I might interpolate there that the New South Wales Premier’s post-November 1999 view is still a republi- can view, but it is a view that says, essen- tially, that the office should be filled in precisely the same way as it is now under a re- publican model. I think the views of Bob Carr, who is the most successful Labor leader in Australia, are worth a bit of exami- nation by the Labor Party.

The second question was whether I have stonewalled. You refer to a press conference in which, if you examine the press confer- ence, I made clear my total distaste and re- pugnance for child abuse—absolutely, totally and without equivocation. I was merely, in answer to one question, observing what there had been under the old New South Wales Crimes Act. I had learnt the Crimes Act when I was at law school, as I was enjoined to do in order to pass the exam. I remember the provisions of the act and I was drawing attention to those.

As to my views on child sex abuse, through you, Mr Speaker, it is one thing to attack, as you have done, the handling of this issue by the Governor-General politically, as you have of me—and you are entitled to do that; I am fair game politically—but I want to make it very clear to those who sit oppo- site that I reject totally, utterly and with a
great deal of energy any suggestion that I am soft on child abuse. Any suggestion that the
Australian Labor Party, who sits opposite, occupies some kind of moral high ground on
the behaviour of people in public life when it comes to these matters is wrong. Let us be
sensible on this issue. Let us understand that dealing with something as repugnant as child
abuse ought to be something that transcends the political divide. Don’t you try to grubbily
drag—

The SPEAKER—Prime Minister! The Prime Minister has the call. I was merely
indicating to the Prime Minister that, once again, his remarks should be addressed
through the chair. It was for that remark that I simply called the Prime Minister.

Mr HOWARD—I apologise to you, Mr Speaker. I say to the opposition, through you:
if you are really concerned about child abuse, do not try to divide it on political
grounds. I do not question your repugnance at and detestation of it. I do not contest the
repugnance of the opposition towards child abuse. I do not question the repugnance of
the Leader of the Opposition towards it, and I would invite those who sit opposite not to
question the motives of those who sit on this side of the House or they might be reminded
of some failures in relation to former colleagues.

Trade: Free Trade Agreement

Mrs DE-ANNE KELLY (3.00 p.m.)—My question is addressed to the Minister for
Trade. Would the minister inform the House of progress in the second round of negotia-
tions with the United States for a free trade agreement. Why is the government pursuing
this free trade agreement?

Mr VAILE—I thank the member for Dawson for her question and recognise her
very keen interest in the prospects of significant improvement, particularly for the export
of sugar from her electorate, if we successfully negotiate a free trade agreement with
the United States. To the first part of the member’s question: members on both sides
would be pleased to know that the second round of negotiations conducted in Hawaii
last week have gone extremely well. Significant progress has been made, particularly
right across all 17 working groups that have been established as part of this negotiating
process. Those working groups have now mapped out a course of action for the rest of
2003, which hopefully will see us achieve our stated objective of concluding the negoti-
atations by the end of this year. Negotiators now have a much clearer understanding of
respective positions on both sides, and the next round of negotiations will take place in
July, again in Hawaii, and will focus on the substantial market access negotiations.

The member asked why the government is pursuing this free trade agreement with the
United States. We are pursuing it because we want to see better opportunities for Australia’s exporters in getting better access into
the largest economy in the world. The United States is the largest economy in the world.
This negotiation will not be easy, but we see significant benefits—benefits for not just the
Australian beef industry, not just the Australian sugar industry and not just the Australian
dairy industry but also for manufactured products.

Opposition members interjecting—

Mr VAILE—The members interjecting will be pleased to hear that we are also going
to try to get better access into the United States market for shipbuilders like Incat in
Tasmania, who would very much like to see removed barriers such as the Jones Act that
limit their access into the United States market.

The objectives we are pursuing are as follows: we want to eliminate tariffs; we want
to remove barriers to trade such as tariff rate
quotas; we want to remove barriers to the export of Australian ships; we want to reduce impediments for Australian service suppliers; we want to see opportunities enhanced for the temporary entry of business people and their families into the US out of Australia. It is important to note that we will ensure as part of these negotiations that we do not impair Australia’s ability to meet fundamental policy objectives. To that end—

Dr Emerson interjecting—

The SPEAKER—The member for Rankin understands only one language, and so I warn him.

Mr VAILE—The member for Rankin and many other members opposite should note what has been stated on a number of occasions by the United States chief negotiator, Ralph Ives. He has said, ‘We are in no way going after the PBS.’ Now the Labor Party still cannot get the message. They cannot understand simple English: they are not going after the PBS. He has also said on another furphy that the Labor Party are trotting out about local content rules—

Ms O’Byrne interjecting—

The SPEAKER—The member for Bass is warned!

Mr VAILE—Ralph Ives said, ‘We are not seeking, as some in Australia have indicated, to abolish the broadcast quota or the subsidies that underpin that. Let’s make that clear.’ The American side have made that clear on two very important public policy issues—two public policy issues that have got the Labor Party all excited. The opposition, by not supporting our objective of negotiating a free trade agreement with the United States of America, are turning their back on Australia’s exporters—and particularly Australia’s farmers, including the farmers that the member for Dawson represents in North Queensland.

On this issue, I will leave the last words to two very successful Labor politicians in Australia who do support the government’s position on this. I invoke the words of the Premier of New South Wales first. I quote Bob Carr. He said:

It is in Australia’s interests to link ourselves with the world’s most dynamic and creative economy. It’s about more than trade, it is about more than investment, and it doesn’t rule out Australia’s growing economic relationship with East Asia.

Secondly, and in conclusion to my answer to this question, I will quote Peter Beattie, the Queensland Premier. He said:

A free trade agreement with the United States has my support because it has the potential to offer Queensland exporters unfettered access to a market of 280 million people.

The question should be: why won’t federal Labor follow Labor in Queensland and in New South Wales and support the government’s position on this?

Prime Minister

Ms ROXON (3.05 p.m.)—My question is to the Prime Minister. Can the Prime Minister explain to Australian parents his comments from February last year that an adult having sexual relations with a 14-year-old child could be excused from a legal perspective? Prime Minister, what sort of message is being sent to child predators and paedophiles when the Prime Minister himself argues a defence of this behaviour and suggests the onus of proof must be placed on the victim?

Mr HOWARD—I have not in the time available—but I will—retrieved a full transcript of that press conference, but to suggest for a moment that I was implying that the onus of proof should be suggested, when I was merely repeating my recollection of what the law said, is grossly unfair. It is quite wrong and really does go beyond the bounds of reasonable debate. Those who sit opposite
have got a perfect right to attack me politically on this, but do not in the name of trying to advance your political advantage misrepresent what I said. I will go back to that transcript, and I will look over it very carefully, and I think I will find, as is my clear recollection, that I was merely stating what the law was.

_Mr Adams interjecting—_

_The SPEAKER—_The member for Lyons is warned!

_Mr HOWARD—_During that press conference, I think I would have used words to the effect that child abuse made my flesh creep. The member for Gellibrand does not quote that, because it does not suit her advantage to do that.

This is the sort of base level to which the Australian Labor Party have sunk. Once again, this genius who sits opposite me as Leader of the Opposition has blown it. Instead of trying to construct an argument based on an error of judgment by the Prime Minister, you start dragging in questions, which he must have authorised, implying that in some way the Prime Minister is soft on child sex abuse. That is what he has done. He is responsible for this and nobody else. Let the Australian public make a judgment today, not on me, not on the Governor-General, but on the Leader of the Opposition.

_Drought: Assistance_

_Mrs HULL (3.08 p.m.)—_My question is addressed to the Minister for Agriculture, Fisheries and Forestry. Would the minister inform the House of the latest developments in the government’s attempts to assist farmers struggling with drought?

_Mr TRUSS—I_ thank the honourable member for Riverina for the question. It is especially appropriate that she should ask it because on Friday I announced that exceptional circumstances assistance would be provided to 2,700 dryland, livestock and crop producers in the south-west slopes and plains region, mostly in the electorate of the honourable member. She and many other members of the government have been very concerned about the impact of drought on primary producers and rural communities across the nation. The government has responded in an effective way to ensure that farmers have some assistance through these difficult times.

Last week, assistance was extended to 1,800 livestock and broadacre crop producers in the Queensland central coast region, mainly in the electorate of the honourable member for Capricornia. Assistance was also extended to 700 beef, cattle and dairy producers in the state’s southern south-east, mainly in the electorate of the honourable member for Blair. This brings to 32 the number of exceptional circumstances applications that the government has now considered. This demonstrates the enormity of the drought—how extensive it has been and how harsh it has been in much of Australia. We have sought to respond quickly. Indeed, these applications have been considered in one-third of the time that it has taken to deal with EC applications in the past. In addition, we have ensured that interim assistance has been available to farmers while their applications are under consideration.

As we look to the prospects for the winter ahead, there is still a degree of anxiety about the future progress of the drought. While the Bureau of Meteorology has officially declared El Nino over, that is good news for northern Australia, but those areas are of course coming into their traditional dry season. The prospects for some parts of southern Australia, particularly the grain belts of Victoria and South Australia, have been less encouraging. Indeed, the plantings for the winter crop are way below average. Only in Western Australia has there been any signifi-
cant planting of wheat, and most of the other crops that have been planted around Australia are now at a critical phase as we look to what the future might bring.

Clearly, continued rainfall will be necessary in those areas where some planting has occurred to ensure that the crops are able to reach their potential, but in other areas they are still looking for the first rain to enable planting to occur. I think your own area, Mr Speaker, may be one of those that did rather well over the last couple of days and one in which some planting is starting to occur. That sort of thing is giving encouragement to people in regional Australia, but there are many others with a very tough time still ahead of them.

Currently 13,350 Australian families are receiving income support under the federal government’s drought assistance programs, and over 3,000 are receiving interest rate assistance to help them with their business costs through these difficult times. Over $133 million has already been paid out—a clear demonstration of this government’s commitment to work with farmers to help them through this difficult time. We hope that the season will soon break across the nation and we can return to our traditional levels of profitability, but in the interim the government will stand by our friends in regional Australia and make sure that they have the opportunity to survive the tough times so that they can again prosper in better seasons.

**Governor-General**

**Mr CREAN** (3.12 p.m.)—My question is to the Prime Minister. It refers to the statement he made at the beginning of the parliament, in which he said:

There was a different attitude in the past in relation to the handling of child abuse allegations and child abuse practices. That different attitude in the past was largely but not entirely reflected in the handling of this particular matter by the Governor-General.

Prime Minister, I ask: what standard existed in 1993 to condone the covering up of paedophilia?

**Mr HOWARD**—In answer to the Leader of the Opposition’s question, I think it is fair to say that there is a different standard now than in 1993.

**Ms Roxon interjecting**—

**The SPEAKER**—The member for Gellibrand is warned!

**Mr Brendan O’Connor interjecting**—

**The SPEAKER**—The member for Corio is warned!

**Mr HOWARD**—Whether it was 1993 or 1983 or 1973, I hold the view that the past practice was the wrong approach, and I made that plain in my statement. I think the contemporary approach is the right approach, but it does not alter the judgment that I made last year—which I continue to hold—that there were not grounds in relation to Dr Hollingworth’s behaviour as Governor-General that would warrant my recommending to the Queen that he should have been dismissed. The reality stands. He made a very serious error of judgment. It was an error of judgment that was made by a lot of people in authority prior to then, not only in churches but also in government bodies and in government institutions. It was a different approach. I think that approach was flawed. I have made that very clear. I think the contemporary approach is far better. But, in forming a total view on something like this, you have to have regard to the practices and the circumstances of the time and you have to make a judgment, when you look at a person’s conduct, having regard to a knowledge
and understanding of that. I think if you do not do that you run the risk of making judgments that are not accurate.

**PRIME MINISTER**

Censure Motion

Mr CREAN (Hotham—Leader of the Opposition) (3.15 p.m.)—by leave—I move:

That this House censure the Prime Minister for his failure to make appropriate checks and inquiries before his appointment of Dr Hollingworth as Governor-General and his failure to dismiss Dr Hollingworth once evidence of his actions in covering up a known paedophile became known. In particular, that this House censures the Prime Minister for:

1. his failure to understand that it is unacceptable for anyone in authority to cover up child sex abuse;
2. his failure to make proper checks and exercise proper judgment before appointing Dr Hollingworth;
3. his failure to terminate Dr Hollingworth’s appointment in February last year when Dr Hollingworth admitted he acted inappropriately in the handling of child sex abuse cases;
4. his failure to terminate Dr Hollingworth’s appointment when he appeared on Australian Story and implied that an inappropriate relationship between a priest and a 14 year old girl could be initiated by the child;
5. his failure to recognise what child sex abuse is and thereby condoning the cover-up of child sex abuse and the blaming of victims of child sex abuse;
6. his failure to terminate Dr Hollingworth’s appointment when the Aspinall Report made further adverse findings against Dr Hollingworth;
7. his failure to confront allegations of rape and in seeking to cover them up;
8. his failure to terminate Dr Hollingworth’s appointment for allegations that were proven, yet acting belatedly on allegations that were not proven but had become public;
9. his failure to speak to the Australian public immediately following Dr Hollingworth’s resignation;
10. his failure to resolve the status of Dr Hollingworth’s appointment immediately following the withdrawal of the allegation of rape made before the Supreme Court of Victoria; and
11. his failure to protect the integrity and dignity of the highest office in Australia by not admitting he got it wrong and by not displaying leadership in removing the Governor-General 15 months ago.

We have heard the Prime Minister say today that it was an error of judgment on the Governor-General’s part. It was more than an error of judgment on the Governor-General’s part. He covered up for a known paedophile; he has admitted it, and the Anglican Church found that to be the case. It does not matter whether this was in 2003 or in 1993. He failed in his duty. The simple proposition is that a person in authority should not be able to cover up for paedophilia. The error of judgment, Prime Minister, was yours: in appointing him in the first place, having failed to make the appropriate checks—we heard the Prime Minister duck and weave all through question time today about whom he consulted and what checks he made—and, fundamentally, in failing to act to remove the Governor-General when these allegations came to the fore in February 2002 and the Governor-General refused to resign.

We asked a number of questions today as to what checks the Prime Minister had made. What did we hear the Prime Minister admit? He consulted four of his colleagues. Prime Minister, we would like to know who those four colleagues are. We know the Treasurer was not one of them, because the Treasurer has already put you in it by saying you made this decision alone. Who were the four that you consulted? More importantly, you failed to address—
The SPEAKER—The Leader of the Opposition.

Mr CREAN—the question I asked in relation to inquiries that we believe the Prime Minister or his office made of the Anglican diocese of Brisbane concerning Dr Hollingworth’s activities. Prime Minister, you made great play of the question of why you would be making those inquiries 12 months before. I specifically asked you whether, at any time within the 12 months prior to the appointment, such inquiries were made by you or on your behalf of any person within the organisation of the Anglican diocese of Brisbane concerning Dr Hollingworth’s activities and performance in his role as Archbishop of Brisbane. I think, given what we know now in terms of the litany of allegations going back over a long period of time under Dr Hollingworth’s stewardship, that it beggars belief that inquiries made would not have turned up something. What we want to know is what they did turn up.

The Prime Minister has been evasive every time he has been asked this question at press conferences, and he was evasive again today in question time. This—the very act of appointment, the first stage—does go to the Prime Minister’s judgment and that is why this parliament is entitled to know. The Prime Minister is going to take this censure motion. So, now that I have had the opportunity to explain more fully what I have been after, the obligation is on the Prime Minister to explain what checks he made and what inquiries were made on his behalf, in particular of the Anglican diocese of Brisbane. And do not fudge it, Prime Minister. Answer the question. The Australian public is entitled to know, because it is your error of judgment that is at issue here. The Governor-General has resigned. The Prime Minister should have acted sooner to seek his termination. Of that there is no question, and I made this call in February 2002. But the truth of the matter is that we want to know what checks and inquiries were made at the beginning.

We then move on to the circumstances in which the allegations themselves became very public in February 2002. It was on 21 February that, on the basis of the information I had available, on the basis of discussions I had with the Governor-General and the Prime Minister, and on the basis of earlier conversations I had had with the Governor-General, I gave my advice as to the best way he should be dealing with this issue. I have no qualms about that. I was concerned that the office of Governor-General be protected, but I was more concerned that the victims of child sexual abuse be properly dealt with and that we deal with them in a humane way. A head of state who had been embroiled in controversy should have taken the lead in that regard and, whether that involved admitting all of the fault and saying that we had to move on and take steps beyond that, that was my advice to him at the time. He did not adopt that advice, and it is for him to make that judgment call.

I say that for this reason: I have no malevolence against the person, Dr Hollingworth. I do not. I have known him for many years and I have worked with him. I respect the work he has done for the community in the past. I have every sympathy for him in the current circumstances, particularly the circumstances of his wife’s illness. But that is a completely separate issue from the failure of the archbishop to act on complaints which he established were true. He chose to exercise Christian forgiveness to the priest rather than carry out his pastoral responsibility to the victims. That is the fundamental problem with this: the Governor-General got it wrong. He got it wrong some time ago. He admitted he got it wrong 15 months ago and yet he still remained in the position because the Prime Minister was prepared to cover up for him. The second error of judgment on the
Prime Minister’s part—his first was the failure to check the records—was the failure to act when he should have acted in February last year.

It was not just the allegations that the Governor-General admitted to. He then compounded the problem, while in office, in that famous episode of Australian Story, in suggesting it was the girl who commenced the relationship. This was totally wrong. In terms of the Prime Minister asking, ‘What has this man done wrong in the office of Governor-General?’ that is one thing that he did dreadfully wrong. He sought to shift the blame, and he did it on television. He then compounded the problem at that bizarre doorstep just before he flew out of the country, as this first controversy was enmeshing the nation, back in February. That was another error of judgment by the Governor-General. We are used to these errors of judgment, but what we are not prepared to condone is the Prime Minister simply saying, ‘It was the Governor-General who made errors of judgment; I am a cleanskin.’

The Prime Minister’s answer today that he did not seek the dismissal of the Governor-General but that it was for the Governor-General to decide goes to show that, if the Governor-General had dug in, we would still have him in office now. The Prime Minister, by his very answer today, is saying he would not have dismissed the man. Why? It is not because it would have been the correct decision to dismiss him; it is because he is too stubborn as Prime Minister. He knows he made a mistake but he will not admit it. The Prime Minister knows he made a mistake in the appointment and he knows he made the further mistake in failing to act back in February last year.

The simple truth is this: nothing new has emerged in the last 15 months that we did not know at the time the call for the Governor-General to resign was first made. I challenge the Prime Minister today to tell us what additional information there is that justifies a resignation today that did not justify a resignation 15 months ago. In the absence of a resignation today, if the Governor-General had failed to act, I believe it would have been appropriate for a dismissal to be made. The Prime Minister would have been under enormous pressure to do so. That is why he has been in hiding for the past three days, not wanting to be out there in public telling the Australian people what conversations he had with the Governor-General or telling the Governor-General that, if he did not act on his own, he would be forced to advise the Queen accordingly. This Prime Minister is so stubborn that he does not want to admit he got it wrong—he got it wrong about the appointment and he got it wrong about the call in February last year.

The huge issue around this is not just the Prime Minister’s failure of judgment; it is the signal it sends to the victims of child sexual abuse. This Prime Minister is prepared to condone, in the highest office in the land, for 15 months after the problem is admitted publicly, a person who covered up for a known paedophile. This person, whose judgment was questioned in the Anglican church inquiry in terms of recall, fundamentally covered up for a known paedophile. What sort of a signal does it send to the Australian public, in particular to the victims of child sex abuse, when the Prime Minister continues to stand by his man and say that he has done nothing wrong? Covering up for a known paedophile is wrong. Prime Minister—you know it and everyone in Australia knows it. The problem is that you were prepared to condone it. That is what the Prime Minister stands guilty of today.

The Governor-General has gone, and should have gone a long time ago, but another important set of ramifications flows
from the circumstances surrounding this. I will come to those in a minute, but I want to also make this very salient point. Why is it, Prime Minister, that you chose to stand aside the Governor-General for an allegation that was not proven but were not prepared to have him stood aside for an allegation that was proven? We all know now that the Prime Minister was told by the Governor-General in December that there was a rape allegation against the Governor-General. That was a completely separate issue from the circumstances that should have seen him resign back in February, but there was nevertheless another error of judgment by the Prime Minister. He had a belief that, if an allegation of rape against the head of state could be kept secret, you could get away with it. That was the Prime Minister’s judgment, because as soon as the allegation became public the Prime Minister accepted that the Governor-General should stand aside. If it were true when it became public, why didn’t he exercise that judgment when it was privately known to him? No-one else in the country knew about this back in December; I certainly did not know about it. But we know that the Prime Minister knew.

The Prime Minister’s judgment to yet again cover up for his man, his appointment, has also been exposed. That is what the Prime Minister stands condemned for today, and that is why this censure should pass. This is the Prime Minister’s judgment. His failure to act, his preparedness to cover up and his preparedness to sweep away proven allegations of paedophilia and the covering up associated with that send a signal to the Australian community.

There is another opportunity today, Prime Minister, in terms of dealing with the victims of child sexual abuse: to support the private member’s bill introduced in this parliament today by the member for Gellibrand. It is a private member’s bill that says that we as a community have to learn from this shocking episode and that we have to make a commitment to our families and to our young children that as best we can ensure it this will not happen again. It says we should establish a children’s commissioner so at the national level we can coordinate the prosecution of these cases and ensure that the perpetrators are brought to justice. It says we should establish a code of conduct that says that any organisations in receipt of Commonwealth funding have to sign up to a code which, amongst other things, requires that if allegations of child sexual abuse are made they have to be referred. Had such a code existed, Dr Hollingworth would have had no choice. He could not have exercised the Christian prerogative on its own; he would have had an obligation under a code that his church had signed up to to actually report it. The third thing we call for in this bill is a check such that parents in future know that anyone working with their kids has been given approval.

Mrs De-Anne Kelly interjecting—

Mr CREAN—You might like to interject, I say to the member for Dawson, but this is a serious issue around the country. Whilst I am here today censuring the Prime Minister, I think it is terribly important that we put forward constructive initiatives. I hope that you listen to the content of them, because we will want to try and bring this legislation on for implementation. I hope in the spirit of bipartisanship arising from this tragic episode we can do something for the victims of child sexual abuse and say that it has not all been in vain. I hope we can say to them, ‘We cannot obliterate the pain that you have gone through, we cannot wipe out the hurt that you and your families have had to put up with, we can’t make it easier for you to deal with the shame and the anger that has built up inside, but we can try and make sure it doesn’t happen again.’ That is why I say to
you: look carefully at the bill that the member has introduced and be prepared to look objectively at this sorry, tawdry exercise so we can say, ‘We won’t let it happen again.’

The other thing I would suggest to the Prime Minister—and I conclude on the point from which I began—goes to the question of the appointment of our next Governor-General. Let us learn from the mistakes. Let us not have a circumstance in which the Prime Minister consults just four unnamed colleagues—at least, that is all he has fessed up to. We will wait and see whom he really did consult and what advice he really got. I am suggesting that we put in place, and the Prime Minister agrees to, a new mechanism whereby we establish a consultative committee consisting of the head of his department, the most recent retired Chief Justice of the High Court and a community representative appointed by the Prime Minister to draw up a short list of candidates for Governor-General, that we advertise the position and draw expressions of interest that go to that committee and that the Prime Minister be left to appoint the Governor-General from the short list. If he appointed a candidate not on the short list, he would have to explain to the House the reasons why. This again is a constructive initiative to deal with the morass that we have come from. Most importantly, the Prime Minister deserves censure for the way in which he has terribly handled this. (Time expired)

The SPEAKER—Is the motion seconded?

Ms Macklin—I second the motion and reserve my right to speak.

Mr HOWARD (Bennelong—Prime Minister) (3.36 p.m.)—I thank the House and I thank the Leader of the Opposition for moving this censure motion. You do not normally do that, but he has provided me with an added opportunity to deal with some of the more absurd propositions that have been advanced not only in his motion but also during question time. The first thing I would like to deal with, and it goes very much to the spirit of what is in the motion, is the matter raised by the member for Gellibrand, which arose out of a news conference I had on 19 February last year. I was asked a question, and the question ran as follows:

Leaving the Governor General aside may I ask your views on a moral question?

The questioner then went on to ask my view on a legal question. I was not reluctant on this occasion to give it. He said:

Firstly, is it a crime for an adult male to have a sexual encounter with an underage female and secondly if that happens is it an excuse on the part of the adult male that the child led him on?

The answer I gave was as follows:

Laurie I haven’t checked the state of the criminal law now but I do remember when I was at law school that it was a defence to a carnal knowledge charge that if the person in question who may have been under the age of 16 was between the ages of 14 and 16 and there was a reasonable belief on the part of the accused that the person was in fact above the age of consent. Now beyond that I can’t offer an opinion on that because I don’t know all of the facts and the circumstances.

That was a straight statement of fact. It goes on:

JOURNALIST: [inaudible] offer an opinion?

PRIME MINISTER: Well I will offer an opinion, I find anything to do with the interference of children abominable, disgusting, and it’s something that repels and is repulsive to all Australians and, you know, I think the community should be united in its hostility to it. I deplore breaches of trust that occur whether it’s in a church organisation or any kind of school and it’s not limited as some reports would have had it in the past to schools run by the Catholic Church or the Anglican Church. Sadly it’s occurred in government schools as well in years gone by. So I mean it makes my flesh creep.
That is what I said. After another question, in which the journalist finally said, ‘and a moral one’, I said:

Well I don’t think older men should take advantage of underage girls, no I don’t.

Mr Latham—That was a separate question.

The SPEAKER—The member for Werriwa! The Prime Minister will be heard in silence.

Mr Howard—In my language, that is the attitude I had.

Ms Roxon interjecting—

Mr Martin Ferguson interjecting—

The SPEAKER—The member for Gellibrand has forgotten her status in the House, and so has the member for Batman.

Mr Howard—I regard it as absolutely reprehensible of the Leader of the Opposition to counsel and procure the asking of such a question. But of course that is typical of the Leader of the Opposition—and you noticed the muted reactions from those who sat behind him as he delivered his withering attack on me and the Governor-General regarding this appointment. Let me, for the benefit of the Leader of the Opposition, take him through a few realities about the appointments of governors-general in this country. Let me inform the House that I followed the same procedure that was followed regarding the appointment of Dr Hollingworth as was followed, in my understanding, by Mr Keating in relation to the appointment of Sir William Deane.

Mr Hatton interjecting—

The SPEAKER—I warn the member for Blaxland, since he understands no other language!

Mr Howard—It was the same procedure that was followed by Prime Minister Bob Hawke in the appointment of Bill Hayden as Governor-General, the same procedure that was followed by Ben Chifley in the appointment of Sir William McKel as Governor-General, and the same procedure followed by Gough Whitlam in the appointment of Sir John Kerr as Governor-General. In other words, I have followed exactly the same procedure. To my knowledge, they followed it in the past because that was the constitutional custom and convention.

We had a vote in this country in November 1999, and the Australian people voted in favour of retaining the present constitutional monarchical system. Some in the parliament voted yes and some in the parliament voted no. I allowed my colleagues a free vote. It was the right thing to do. I respect the fact that many of my colleagues do not share my antirepublican sentiments. The fact is that the majority of the people voted in favour of the present system. As the New South Wales Premier said on radio this morning, the core of the present system is prime ministerial government. The core of the present system would be undermined if there was anything in the nature of a popular election for the appointment of what is, after all, an important but nonetheless executive power in the country, and a ceremonial position. I hold very strongly to the view that the constitutional convention should continue to be observed.

In recommending the appointment of Dr Hollingworth, I believed I was recommending a person of high intelligence, a person with a proven record of service to the community, a person who was skilful in handling public situations and a person who had led, in my understanding, by reasonable standards a morally correct life. I am not a person who sets himself in some kind of pious moral judgment over others. We are all flawed individuals. In the course of this debate we have had a fair amount of delivery of speeches suggesting that there are some in the community who stand above all others.
am in awe of the perfect judgment of so many of my fellow Australians! I am in absolute awe! I wish I had that capacity to avoid errors of judgment. Of course I have been guilty of errors of judgment in my life. Who amongst us could suggest that they have not been guilty of errors of judgment? Who amongst us could stand before any audience in this country and say, ‘Oh, no, my judgment has always been flawless; I have always been absolutely perfect. I’ve never allowed my charity towards somebody to overcome my better judgment’? None of us. None of us could honestly stand before their mirror or their maker and possibly make that kind of assertion.

Mr Crean interjecting—

The SPEAKER—The Leader of the Opposition was heard in silence. The same courtesy will be extended to the Prime Minister.

Mr HOWARD—I am certainly not going to do that. Let me also say this in relation to the motion moved by the Leader of the Opposition: I accept responsibility for Dr Hollingworth’s appointment. I have never sought to avoid it. I made a bona fide judgment on the information I had at the time. That judgment at the time was justified; that judgment was supported by many people in the community. His appointment was very widely welcomed and his appointment was very widely welcomed because he was seen as a man who had served the underprivileged with dedication and commitment for all of his adult life. Nothing that the Leader of the Opposition has so miserably said about him, either here or on previous occasions, can take from Peter Hollingworth a record of decades of service to the underprivileged in this country. Nothing that has happened will stop me saying that to this parliament or to any section of the Australian people. We can stand here in our ivory castle of parliamentary privilege and we can attack people, but we ought to take account of the totality of their lives—we ought to take account of the total contribution that they have made.

If you look at the life of Peter Hollingworth, you see a person who has made a contribution to the relief of suffering. He is a person who deeply regrets, obviously, the great error of judgment he committed in relation to the priest Elliot and the matters that were canvassed in the report of the Brisbane Archdiocese of the Anglican Church. He very deeply regrets that. I think all of us would know that, and to say that and to express an understanding and sympathy for him in no way diminishes our abhorrence of child abuse. It is quite reprehensible of the Leader of the Opposition to suggest that, because we do not adopt in full his condemnation of Dr Hollingworth, in some way we are soft on child abuse. That has been the gravamen and the miserable, baseless levels to which the accusations of the opposition have fallen today. They can do nothing better than to conjure up that kind of implication and that kind of suggestion.

Mr Latham interjecting—

The SPEAKER—The member for Werriwa is warned!

Mr HOWARD—Of course the government and I, in particular, were not being soft on child abuse in taking the view I took in relation to Dr Hollingworth. I was merely stating what I believed to be a correct judgment: that he had not done, in the office of Governor-General, anything to warrant his removal from that position. That is a judgment I made last year, it is a judgment I made again a few weeks ago, and it is a judgment that I stand by. In the end, Dr Hollingworth decided that the best thing for the office was for him to go. He did the right thing. He did the proper thing by the office and he deserves the respect of this parlia-
ment, not the denigration of the opposition, for having taken that decision.

Let me say two other things about the office. We have heard a lot about the dignity, the respect and the prestige of the office. One of the great mistakes of history is for people to impute that, because there has been a controversy, the controversy is automatically transferred to the office. I do not believe the office of Governor-General has been weakened by what has happened. For his information, may I through you, Mr Speaker, inform the Leader of the Opposition that we have not, much to his disappointment, had a constitutional crisis over the past few days. I did not feel yesterday, as I watched St George defeat South Sydney by 16-14, that we were going through a constitutional crisis. I believed quite the contrary. Can I say to the Leader of the Opposition that the system—

Opposition members interjecting—

The SPEAKER—The Leader of the Opposition was heard in silence; we will extend the same courtesy to the Prime Minister.

Mr HOWARD—If a method of parliamentary selection and removal of the Governor-General or a president of Australia had been in place on this occasion, I wonder whether the matter would have been resolved as easily, as smoothly and with such stability as it has been on this particular occasion. Some of my colleagues around me might disagree with me on that. I would respect their views and I would not try to drag them into holding an alternative point of view, but I put that on the table. I would say to the Leader of the Opposition that, far from demonstrating that the system needs radical change, it may well demonstrate that, in the words of Paul Kelly—hardly a pro-monarchist; very much a pro-republican—in the *Australian* this morning, the system had shown 'subtlety and flexibility' in the way in which the issue had been handled. So disappointment to the Leader of the Opposition and no constitutional crisis; that is disappointment No. 1. Disappointment No. 2 for the Leader of the Opposition, having heard the muted response from his colleagues behind him, was there was not much traction for him out of the issue either.

Once again, we have seen the opposition leader go right over the top. Instead of settling for a conventional attack on the Prime Minister and the Governor-General, he goes right over the top. He makes allegations of a cover-up; I did not cover up anything in relation to the matters that came out in February last year. Everything was on the record that had come out in February last year. I made a judgment in February last year that I was not required to act, and I repeat for the benefit of the Leader of the Opposition that the judgment was that the Governor-General had not behaved in a way, since assuming his office, to warrant my recommending to the Queen that his commission should be revoked. That judgment was right then, and it remained right until the time of his resignation. I defend that judgment. I am prepared to be held accountable for that judgment, and I believe that judgment to be correct.

I have been asked about the rape allegations against Dr Hollingworth. I make this point to the Leader of the Opposition: when they were first made in December, they were bare allegations contained in a solicitor’s letter. It would have been absurd for the Governor-General to stand aside on the basis of such a letter, especially as he denied the claims. In the course of the court proceedings, a suppression order was sought and obtained by the now tragically deceased lady, and a suppression order obtained by the Governor-General. It was always on the understanding, and was made plain in the Governor-General’s videoed statement, that if leave to bring the action out of time had been granted then the suppression orders
would have been lifted. There was no cover-up. The law worked; the system worked; the process worked, and any suggestion that Peter Hollingworth got a preference because of his position is bunkum. The first suppression order was obtained by the now tragically deceased lady, and the cover was only blown on everything improperly by the member for Melbourne, who shamefully put the questions on notice. I reject them, I reject the censure motion, and I reject the behaviour of the Leader of the Opposition.

Mr Tanner interjecting—

The SPEAKER—Member for Melbourne!

Mr Tanner interjecting—

The SPEAKER—The member for Melbourne is warned! The member for Jagajaga some time ago was invited to address her remarks through the chair and accept the call.

Ms MACKLIN (Jagajaga) (3.52 p.m.)—The Prime Minister yet again showed, at the beginning of his response to this censure motion, that his first response always is to go to the legal niceties and never to the essence of this issue, which is that child abuse is wrong. What this Prime Minister does not get is that covering up child abuse is wrong. Through his inability to deal with it, he has shown a very serious error of judgment in this very sorry saga.

We have heard a lot about the word ‘innocent’ over the last few days. The people to whom it most applies are the children in our community. We all know that they are the most vulnerable. They are the ones who do not wield any power or authority; it is adults who do that. Children explicitly rely on us as adults to protect them from harm, and it is a distressing fact that so often we fail to provide that protection. The trauma and devastation that we have heard so much about, which has been suffered by those who have been victims of child sexual assault, stays with them for a lifetime. Many have found in their adult lives that they are scarred by deep emotional problems as a direct result of their horrific experiences. But what has been particularly traumatic for many who have survived such attacks has been the process of denial and cover-up they have faced when seeking some acknowledgment of and justice for what has happened to them, often over a very long period of time.

It is very hard for most of us to imagine the courage it must take for a victim of child sexual assault to come to terms with what was done to them as a child and to confront their abuser. How much harder must it be when they believe their attacker has been sheltered from justice by a major social institution and by people in high office? It is essential that all children—in fact, anyone who is abused—know that they can turn to those in authority and be believed and cared for. They must know that it is in their interests, rather than those of the abuser or the reputation of any institution of which they may be a part, that their story will be listened to. Tragically, though, it is apparent that all too often victims of child sexual abuse have been let down by us, with their claims dismissed, their cases covered up and their attackers sheltered from public scrutiny. Because of this, child sexual abuse runs to the core of our morality as a society. The way we treat victims of abuse reflects directly on how we regard the most vulnerable and innocent in our society and the importance we attach to their safety and their security.

It is a moral issue that we all know goes to the heart of society. Yet, at every tortuous twist and turn of the public debate that led to yesterday’s resignation by the Governor-General, the Prime Minister has refused to act. He has hidden behind the law and invoked legal niceties to avoid dealing with the profound legal issues that this episode has
thrown up. As early as 21 February last year, it was apparent to all of us—certainly to those on this side of the parliament—that Dr Hollingworth’s position had been made untenable by persistent allegations that he had failed to deal properly with complaints of child sexual abuse while Archbishop of Brisbane. The Leader of the Opposition called for the Prime Minister to act. We said he should advise the Queen to terminate Dr Hollingworth’s appointment. Instead we saw the Prime Minister’s first attempts to hide behind legal semantics. Initially he said the Governor-General had not been given an opportunity to respond to these allegations, and then he dismissed the idea of an independent inquiry into the allegations. On 18 February last year, the Prime Minister said:

This business of every time an allegation is made against somebody then you immediately rush out and have an independent inquiry, that’s just a way of trying to throw further mud.

The Governor-General of Australia was the subject of some of the most serious allegations that can be made against a person, and the Prime Minister dismissed calls for an inquiry as a mud-slinging exercise. Three days later the Prime Minister invoked another legalistic formulation to dodge the hard moral issue at the core of this controversy. He said:

There are no grounds to advise, on the information now available to me, Her Majesty to terminate Dr Hollingworth’s appointment.

He also said:

I don’t find any material evidence that Dr Hollingworth has been soft on child abuse.

Further:

... I cannot exercise my prerogative of final and sole advice ... based on unreasonable smearing of somebody’s reputation. I have to base it on a sense of fairness and justice ...

According to the Prime Minister and many of his ministers, Dr Hollingworth was guilty of nothing more than errors of judgment and, as we have heard so often, a poor choice of words. The Prime Minister’s determination 16 months ago to keep Dr Hollingworth in office was not just a breathtaking failure of leadership; it also betrayed a deep moral misjudgment. The Anglican Church had to hold the inquiry that the Prime Minister should have commissioned. It found that Dr Hollingworth had, in his own words, committed a serious error of judgment in failing to dismiss a confessed paedophile from the Anglican Church. This was the material evidence that the Prime Minister said he could not find. But, instead of taking on board the findings of the inquiry, the Prime Minister again retreated behind legalese. Instead of taking the findings of the inquiry seriously, he claimed he had found no evidence of any deliberate misconduct by the Governor-General in his then office as Archbishop of Brisbane. So, in less than a year, the Prime Minister’s measure of Dr Hollingworth’s conduct transformed from ‘material evidence’. Once the material evidence had been found, the test changed to ‘deliberate misconduct’. How he twists and turns.

Prime Minister, it is obvious from Dr Hollingworth’s comments on ABC television last year—and, of course, now we see again in the contents of a letter that he wrote just recently to the Archbishop of Brisbane, Philip Aspinall—that he still fails to grasp the nature of child sexual abuse. In both instances, he implied that it was the victim—in both cases, a 14-year-old girl—who had initiated a relationship with the abusive adult. This is a critical part of this whole sorry saga. Whether or not a child seeks to initiate a sexual relationship, it is the adult who bears sole responsibility, first morally, Prime Minister, and then legally. The power and authority of the adult and the vulnerability of the child mean that any sexual relationship between the two is one of abuse. That is why
child sexual abuse is wrong. It is a simple proposition, but one that Dr Hollingworth seems to have been unable to grasp.

But where Dr Hollingworth has shown through his actions that he simply does not get it, the Prime Minister has shown through his conduct that he has been prepared to cover up. That is what we are so distressed about on the part of those victims of child sexual abuse who have had cover-up for far too long. They have been subjected to what is now almost 18 months of evasion and so much cover-up by this Prime Minister as he has tried to squirm his way out of this political mess. Forced to decide between the morally correct course of action to terminate Dr Hollingworth’s appointment and toughing it out for political reasons, the Prime Minister has taken the latter course. As a result, we know that the office of Governor-General has been diminished, but I would say that this is a minor note compared with the message that the Prime Minister’s moral turpitude has sent to victims of child sexual abuse.

What his moral turpitude has told them is that the practice of cover-ups and conspiracies of silence that has immeasurably added to their suffering extends to the highest office in this land. The Prime Minister has, for the past 18 months, put the interests of his appointment above those of victims of sexual abuse—exactly the same crime that Dr Hollingworth was found to have committed by the Anglican Church inquiry. But the Prime Minister is, of course, not alone in his moral bankruptcy on this issue. Like a compliant chorus over there, members of the government have surrendered their moral judgment as well. Once again, they have obediently taken their marching orders from the Prime Minister, one after the other. The minister for immigration thought Dr Hollingworth should be forgiven, while the minister for workplace relations peddled the line that the Governor-General was guilty of nothing more than an ‘error of judgment’ and had done nothing wrong while being in vice-regal office.

Yesterday, the minister for education, who so prides himself on values, declined repeated opportunities on national television to say that child sexual abuse is wrong. That is the essence of this: child sexual abuse is wrong. But, after repeated questioning yesterday, the minister—who originally welcomed Dr Hollingworth’s appointment as ‘inspired’—could not bring himself to even mention the issue of child sexual abuse and again passed up the opportunity to condemn the cover-up of abuse. This is the standard of morality to which this government, in its efforts to avoid political embarrassment, has fallen. This is how far it has fallen. It has locked itself into what can only be described as a moral nether world, where the rights of victims of child sexual abuse are sacrificed in the name of politics. That is why this Prime Minister stands censured today.

The Prime Minister might have wanted to portray this whole episode as one involving principles of law. But Australians do not need lawyers to tell them that child abuse is wrong. They do not need lawyers to tell them that the Prime Minister should have acted 16 months ago. If he had, the level of trauma and distress that so many victims of sexual abuse have already been through may have been reduced. But, by choosing to tough it out, which is exactly what the Prime Minister has done, he and his government not only have added to their pain but have severely undermined the trust and respect felt by many for those filling the highest offices in this land—not only the office of Governor-General but the office of Prime Minister and the office of senior ministers of this government who, one after the other, have refused to acknowledge that child abuse is wrong, that cover-up of child abuse is wrong and
that cover-up and protection of paedophiles is wrong.

This is a truly dangerous and terrible legacy that this government has left us. It has meant that so many people who are victims of child sexual abuse do not feel that they will get the protection that they deserve when they come forward. We censure the Prime Minister for the cover-up that he has been engaged in and for the way in which he continues to turn to a legal answer rather than recognising the moral basis on which this criticism has been based for the last 15 or 16 months. He stands censured by this parliament and by the Australian people for not acting to remove a Governor-General who failed to protect children in their greatest hour of need.

Mr ANDERSON (Gwydir—Minister for Transport and Regional Services) (4.05 p.m.)—In rejecting the censure motion on the Prime Minister, I want to say at the outset that I regard child sexual abuse and domestic violence as truly horrendous, as I think all of us in this place would. But let me say this: the Prime Minister has my total and absolute respect for his integrity in relation to the needs of the nation’s children—their economic needs, their social needs, their educational needs and their safety needs. Any attempts to dent his standing in these matters are, I think, grossly unfair and grossly unreasonable. They will be seen to be such by the Australian people, for I would have thought that, if there is one thing that political friend and foe alike would have acknowledged about the Prime Minister, it is his very deep love of children and his very real interest in their circumstances and in what their nation has to offer them.

I am sure it will titillate the opposition, but I am one of those who were consulted by the Prime Minister. I am quite happy to say that. He first rang me when I was in China pursuing gas deals. I, of course, have no intention of revealing in this place all of the conversation we had, but I do want to refer to one germane part of that conversation and of those that followed it. It was that I had never heard and was certainly not able to pass on any remarks which went to impropriety on the part of Dr Hollingworth. The member for Brisbane will recall that he and I participated in a forum in Brisbane once on rural poverty, which Dr Hollingworth had convened. In the dealings that I have had with him, the fundraising events and so forth from time to time in Brisbane, I have always found that he was regarded in terms of his own principles and behaviour as a man who set the highest of personal standards, and so I do record that.

I would be the first to say that child abuse is truly awful. Like domestic violence, it represents such a serious breakdown in human relationships that it threatens the very fabric of our society. Tragically, I suspect that is particularly the case in too many of our Indigenous communities. The previous speaker made the allegation that the Prime Minister, far from accepting the seriousness of child abuse, was prepared to try to sweep it under the carpet—to cover up. I think that is a grossly unfair allegation and that it fails the test of even the most superficial of scrutiny. It ought to be recorded that last year the Prime Minister placed child protection on the Council of Australian Governments’ agenda—the COAG agenda. The Prime Minister put it on the national agenda with the state premiers.

Opposition members interjecting—

The SPEAKER—Order! I remind the member for Gellibrand that she may wish to vote on this motion.

Mr ANDERSON—I hear from the other side, ‘And then he did what?’ The truth is that the states were not very interested in it.
That is the truth. Despite the fact that overwhelmingly they have responsibility for the institutions, particularly in relation to child welfare, that oversee the wellbeing of the nation’s children, they were not particularly interested in Commonwealth involvement, although it was agreed—and I think this is very important—that the Commonwealth would work with the states and the territories on Indigenous child protection. That is happening; it is long overdue. I, as a member in this place, have one of the highest levels of Indigenous people amongst my constituents of any in this place, and some of the statistics which point to the level of abuse, particularly of pre-teenage girls in Indigenous communities, are absolutely terrible. Progress is being made and I believe that is a good thing. But the point of this exercise is to say that it was the Prime Minister who put it on the COAG agenda. This is in distinct contradiction to the claim made by the Deputy Leader of the Opposition that the Prime Minister was not prepared to tackle this issue and that he sought, in fact, to cover it up.

As I mentioned, in the circles that I have moved in, in my contact with Dr Hollingworth and, indeed, in terms of my own active involvement as a member of the Anglican Church, I have never heard any claim—and I was able to say that to the Prime Minister at the time—of impropriety on his part, particularly in relation to his attitude towards what could only be termed as abuse of sexuality and all that that might encompass. I have to say that I do see, though, more self-righteousness around on this than I am comfortable with, and there is quite a bit of it. I do think that some of it actually comes from an area that I would like to say a few things about: a desire on the part of some to attack the Christian Church in this country. I think this is quite an important issue that ought to be traced through. I do think that it ought to be noted that Dr Hollingworth, in the tradition of the Anglican Church, has shown great concern for the vulnerable, the weak and the oppressed.

Tracing through some historical figures in that great tradition, people like John Newton come to mind. He was a man who referred to his belief that a wretch like him could be saved. From what? He was saved from a despicable and utterly appalling record as a slave-trader and a sexual abuser of the vulnerable. He was responsible for the horrible trade and directly responsible for the abuse and the death of very large numbers of people. But he turned away. I heard the term ‘Amazing Grace’, and that is the hymn that he is remembered for. He turned away from all that, having seen the light. I want to say this about him. We judge him now on balance to have been a huge contributor.

Ms Macklin interjecting—

The SPEAKER—Order! The member for Jagajaga was heard in silence. The same courtesy will be extended to the Deputy Prime Minister.

Mr ANDERSON—We form a weighted and balanced view, a total view, of the contribution that he made to a more humane, caring and just society. He in turn greatly influenced another man by the name of William Wilberforce, who spent his life seeking the abolition of the slave trade, of slavery itself—and they were different things—and also of other things such as the fair treatment by the British East India Company of the natives in India, which probably contributed to the fact that that nation has survived as a democracy to this day rather than having torn itself apart. That work led further to another great Anglican churchman’s contribution to our culture’s values. Lord Shaftesbury spent a lifetime standing up for vulnerable children, in particular getting them out of the coal pits, where they were required to work from the ages of eight and nine for 12 hours
I think that these men ought not to be forgotten. It ought not to be forgotten that the church, when being true to its charter, has always stood against oppression, violence and abuse and for the weak, the oppressed and the vulnerable. I do not think that it ought to be forgotten either—I make no apology for saying these things in this House—that Dr Hollingworth has been soundly in that tradition of standing for the oppressed and the vulnerable. We ought to be prepared to form balanced judgments and to take everything into account. Think of his work for the poor, I remember him being extensively quoted at this dispatch box on this side of the House by a Labor Prime Minister when I first came into this place. He was expounded upon in terms of the points of view that he was putting on behalf of his work with the Brotherhood of St Laurence, where he sought to reach out to the poor, the disadvantaged and the vulnerable. He was appointed Chaplain of the Brotherhood of St Laurence in 1964, and he stayed with them—I understand not even purchasing a home of his own so that he could live in relatively humble circumstances amongst the disadvantaged—for no fewer than 25 years. Who of us can claim to have given up such a time in our lives in the pursuit of better outcomes for the poor and the weak, but most of all, in this context, for the vulnerable? He is widely recognised as a passionately outspoken champion of the disadvantaged and, in many ways, I think his work has been quite groundbreaking.

In that context I again make this plea: in passing judgment on him we should balance things in totality. He has acknowledged his serious error of judgment, and it was a serious error of judgment. All of us are grappling with this problem. I do not think I am known as someone who lacks compassion for children or an abhorrence of child abuse—I do not think I fall into that category—and I freely say to this place that I am still grappling with the enormity of this problem, how it is that we have unleashed this monster in our society, particularly in our Indigenous community, and what we do to address it. I am still grappling with it. I do not blame others who are still grappling with it at all. I would say to them, if they are grappling with it, ‘Good on you for not wanting to brush it under the carpet.’ It is a very serious issue; it is a very hard issue to come to grips with. Many of us need to be very careful lest in some way we, as parents and as community leaders, have contributed to, or are continuing to contribute to, a softness or to an opening up of inappropriate values and approaches that encourage child abuse or domestic violence. We have to be very cautious indeed. I would counsel great caution in passing judgment on one who turns away from something that he has acknowledged was a mistake. On a personal note, I would always want to be treated fairly in that regard—I believe I have treated others fairly; I hope I have—lest I find one day that I have committed some serious error of judgment.

I want to refer very clearly in that context to something the Prime Minister said. The fact is that the Governor-General has paid a very terrible price for an error of judgment. It ought to be remembered that he has not abused children; he has not been some sort of pervert himself. He has made a serious error of judgment. He has suffered, is suffering and I suspect will continue to suffer hugely for it, notwithstanding his public acknowledgment of that error. I believe it is time now to stop hounding him. He has courageously put the office ahead of his own interests and he should be recognised for that—just as he is entitled to a balanced account and assessment of his life’s work in which he has arguably done more for others...
than a great majority of us could ever hope to achieve. He is entitled to our forgiveness now that he has taken it upon himself to fulfil the painful role of falling on his own sword.

But to return to the Prime Minister, who is the object of this censure motion today, I want to say this: many of these attacks are deeply personal. I think the House will forgive me if I say that I do know the Prime Minister at a personal level. I do know that he is not a man who would take the sexual abuse of children lightly in any way, shape or form. I believe that the overwhelming bulk of Australians would accept that as a given. I do not believe he is a man who would seek to cover up. Quite frankly, I know that he has thought very deeply—even to the point of a touch of agonising at times, and who could blame him for that?—about this matter in all of its complexities in his desire to see a fair judgment and fair outcomes. In my view he deserves no censure in this place today. This censure motion should be roundly rejected. I do not particularly want to introduce politics into this debate; it ought to be too serious for it. But, frankly, I believe this whole matter smacks of opportunism. I believe that the Prime Minister deserves to see this censure motion roundly rejected today and I believe, in the same vein, that Dr Hollingworth now deserves our respect and understanding for his courageous decision to step aside.

Ms ROXON (Gellibrand)  (4.18 p.m.)—This is not about censuring the Governor-General. This is about censuring the Prime Minister for his—

Mr ABBOTT (Warringah—Leader of the House) (4.19 p.m.)—Mr Speaker, there was a clear understanding that there would be two speakers a side. I move:

That the question be now put.

Question put.

The House divided.  [4.23 p.m.]

(The Speaker—Mr Neil Andrew)

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**AYES**


**NOES**

Crean, S.F.
Danby, M. *
Ellis, A.L.
Evans, M.J.
Ferguson, M.J.
George, J.
Gillard, J.E.
Griffin, A.P.
Hatton, M.J.
Irwin, J.
Jenkins, H.A.
King, C.F.
Lawrence, C.M.
Macklin, J.L.
McFarlane, J.S.
McMullan, R.F.
Mossfield, F.W.
O’Byrne, M.A.
O’Connor, B.P.
Plibersek, T.
Quick, H.V. *
Roxon, N.L.
Sawford, R.W.
Sercombe, R.C.G.
Smith, S.F.
Tanner, L.
Wilkie, K.
Zahra, C.J.

* denotes teller

Question agreed to.

Original question put:

That the motion (Mr Crean’s) be agreed to.

The House divided. [4.30 p.m.]

(The Speaker—Mr Neil Andrew)

Ayes............. 64
Noes............. 77
Majority......... 13

AYES

Adams, D.G.H.
Andren, P.J.
Bevis, A.R.
Burke, A.E.
Corcoran, A.K.
Crean, S.F.
Danby, M. *
Ellis, A.L.
Crosio, J.A.
Edwards, G.J.
Emerson, C.A.
Evans, M.J.
Ferguson, M.J.
George, J.
Gillard, J.E.
Griffin, A.P.
Hall, J.G.
Irwin, J.
Jenkins, H.A.
King, C.F.
Lawrence, C.M.
Macklin, J.L.
McFarlane, J.S.
McMullan, R.F.
Mossfield, F.W.
O’Byrne, M.A.
O’Connor, B.P.
Plibersek, T.
Quick, H.V. *
Roxon, N.L.
Sawford, R.W.
Sercombe, R.C.G.
Smith, S.F.
Tanner, L.
Wilkie, K.
Windsor, A.H.C.

Ferguson, L.D.T.
Fitzgibbon, J.A.
Gibbons, S.W.
Grierson, S.J.
Hall, J.G.
Hoare, K.J.
Jackson, S.M.
Kerr, D.J.C.
Latham, M.W.
Livermore, K.F.
McClendon, R.B.
McLeay, L.B.
Melham, D.
Murphy, J. P.
O’Connor, G.M.
Organ, M.
Price, L.R.S.
Rudd, K.M.
Sciacca, C.A.
Sidebottom, P.S.
Snowdon, W.E.
Vamvakinas, M.

NOES

Abbott, A.J.
Andrews, K.J.
Baird, B.G.
Barresi, P.A.
Billson, B.F.
Bishop, J.I.
Cadman, A.G.
Causley, I.R.
Ciobo, S.M.
Costello, P.H.
Dutton, P.C.
Entsch, W.G.
Forrest, J.A. *
Gambaro, T.
Georgiou, P.
Hardgrave, G.D.
Hawker, D.P.M.
Howard, J.W.
Hunt, G.A.
Jull, D.F.
Kemp, D.A.
Ley, S.P.
Lloyd, J.E.
McArthur, S. *
Moylan, J. E.
Nelson, B.J.

Anderson, J.D.
Bailey, F.E.
Baldwin, R.C.
Bartlett, K.J.
Bishop, B.K.
Brough, M.T.
Cameron, R.A.
Charles, R.E.
Cobb, J.K.
Draper, P.
Elson, K.S.
Farmer, P.F.
Gallus, C.A.
Gash, J.
Haase, B.W.
Hartsuyker, L.
Hockey, J.B.
Hull, K.E.
Johnson, M.A.
Kelly, D.M.
King, P.E.
Lindsay, P.J.
May, M.A.
McGauran, P.J.
Nairn, G. R.
Neville, P.C.
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* denotes teller

Original question negatived.

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

**PERSONAL EXPLANATIONS**

**Mr ZAHRA** (McMillan) (4.35 p.m.)—Mr Speaker, I wish to make a personal explanation.

The **SPEAKER**—Does the honourable member claim to have been misrepresented?

**Mr ZAHRA**—I do.

The **SPEAKER**—Please proceed.

**Mr ZAHRA**—I think I have been inadvertently misrepresented by the *Pakenham Gazette*. It is reported in an article by Kirstie Reeve that I mentioned that the government had announced a $200 million surplus. In fact, I said to the reporter that it was around a $2,000 million surplus.

**Mr TANNER** (Melbourne) (4.36 p.m.)—Mr Speaker, I wish to make a personal explanation.

The **SPEAKER**—Does the honourable member claim to have been misrepresented?

**Mr ZAHRA**—I do.

The **SPEAKER**—Please proceed.

**Mr TANNER**—In the *Sydney Morning Herald* of 26 May this year, an article by Paul Sheehan headed ‘Cosgrove’s too young, but there is another khaki option for G-G’ states:

Tanner has expressed regret for his spectacular lapse of judgement in opening to public scrutiny the absurd accusation that the Governor-General was a rapist 40 years ago.

This follows on from previous false statements by the same alleged journalist—or right wing propagandist masquerading as a journalist—Paul Sheehan.

The **SPEAKER**—The member for Melbourne knows he has an obligation to come to the point at which he has been misrepresented.

**Mr TANNER**—For the record, I have not expressed any regret for my actions with respect to my questions on notice regarding the behaviour of the Governor-General, and nor do I accept any claim that these represented a lapse of judgment.

**Mr BARTLETT** (Macquarie) (4.37 p.m.)—Mr Speaker, I wish to make a personal explanation.

The **SPEAKER**—Does the member for Macquarie claim to have been misrepresented?

**Mr BARTLETT**—Yes, I do.

The **SPEAKER**—The member for Macquarie may proceed.

**Mr BARTLETT**—Thank you, Mr Speaker. In the last question time of the last sitting week, the member for Grayndler asserted that I had unilaterally cancelled a scheduled meeting of the education and training committee. The fact is that that decision had been made by the committee in its previous meeting on 27 March—and if the member for Grayndler had been there he would have known that.

**Mr ALBANESE** (Grayndler) (4.38 p.m.)—Mr Speaker, I wish to make a personal explanation.

**CHAMBER**
The SPEAKER—Does the member for Grayndler claim to have been misrepresented?

Mr ALBANESE—I do, most grievously, just now.

The SPEAKER—The member for Grayndler may proceed.

Mr ALBANESE—The member for Macquarie, Chair of the House of Representatives Standing Committee on Education and Training, asserted today, a few seconds ago, that I had asserted that he unilaterally cancelled a committee meeting. Page 14470 of House Hansard reports that I said:

Can the member advise whether the committee meeting scheduled for 9 a.m. today was cancelled to avoid embarrassment at the impact these cuts will have in undermining the committee’s deliberations?

The SPEAKER—The member for Grayndler has indicated where he has been misrepresented. He will resume his seat.

Mr ALBANESE—Perhaps he should have just answered it last Thursday.

QUESTIONS TO THE SPEAKER

News Clipping Service

Mr PRICE (4.39 p.m.)—Mr Speaker, on 13 May I asked you a question about the availability of press clippings on the Department of the House of Representatives intranet site, and you kindly responded to me in a letter dated 15 May. I need to preface my question by saying that all senators, of course, get a daily service of Media Monitors clippings. In your reply, Mr Speaker, you say that ‘there are other avenues for members to access press clippings online, such as the direct feed from AAP news service, the ParlInfo database of newspaper clippings and various newspaper web sites’.

The AAP, as I understand it, actually runs a news service wherein its reporters report the news. There is available on AAP a press release service, but this in no way constitutes a press clipping service. If a press clipping service is available on AAP, I would be most grateful if the staff might indicate to me or show me how it might be accessed.

In relation to the ParlInfo Library database of newspaper clippings, it is true that they are available, principally as a search engine. I would emphasise that a search engine is not a newspaper clipping service. However, if I were to access this service today, 200 items would come up. I would have to click on each item at least twice, print that story, double-click twice and go to the next story, which would take an inordinate amount of time. Unless staff can show me a much quicker way of doing it, I believe there is no way of accessing all those clippings at any one time. The clippings are sourced from Media Monitors, to which the Library subscribes.

Mr Speaker, I am more than happy to have some of my printing entitlement used by the Senate for them to print up Media Monitors. Alternatively, will you consider providing to all honourable members the very same service that is available to senators in this place?

The SPEAKER—I will take up the issues raised by the member for Chifley. I suggest that either I or the Clerk will report to him on what is available through AAP. It is self-evident that it is more difficult for the House of Representatives to provide the same service on its budget line as is provided to senators on a similar budget line, given the discrepancy in the numbers. But I will certainly do what I can to meet what is a reasonable request from the member for Chifley for adequate information for members of the House of Representatives.
PETITIONS

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

Iraq

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 enormous hardship and suffering inflicted on the people of Iraq by military action in 1991 and by eleven years of severe and debilitating sanctions. It also draws the attention of the House to the potential for immense devastation and incalculable human suffering if war is unleashed on Iraq.

Your petitioners therefore request the House to call on the Government to withdraw immediately all Australian military personnel currently deployed in the Middle East, to reject all further requests for Australian involvement in military action in Iraq, and to vigorously promote peaceful solutions to the problem of Iraq’s failure to comply with the United Nations’ resolution on weapons of mass destruction.

by Mr Bevis (from 634 citizens) and Mr Sciacca (from 129 citizens)

Iraq

The petition of certain citizens of Australia draws to the attention of the House that the signatories below object to Australian participation in the US-led war on Iraq. Peaceful diplomatic and political strategies were by no means exhausted before this war started. We want no part in this war that will bring trauma and death to many thousands of innocent Iraqis.

We object to the double standards over compliance with UN resolutions, and over abolition of weapons of mass destruction. We believe that the focus on Iraq is short-sighted, and that the problems of the whole Middle East must be addressed in their entirety – especially the Israeli-Palestinian confrontation, and the US military presence in Saudi Arabia, home to Islam’s two most holy cities, Mecca and Medina. We consider this war to be largely about securing a steady, cheap oil supply for the UN economy.

Your petitioners request that the House shall recall Australian troops from this war, and that Australia insist that UN weapons inspectors be allowed adequate time to both identify and destroy any WMDs and delivery systems that Iraq might have.

by Dr Lawrence (from 422 citizens) and Ms Jann McFarlane (from 310 citizens)

Immigration: Asylum Seekers

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

The petition of certain women of Victoria draws to the attention of the House the urgent need for revision of the current policy and practice relating to Asylum seekers. Your petitioners therefore request the House to ensure that:

• After initial processing for health, identity and security checks (maximum one month) all Asylum Seekers be accommodated in community housing in family and other appropriate groupings.
• Asylum seekers in offshore centres be relocated to the Australian mainland.
• All Asylum Seekers granted refugee status be entitled to the full range of social security, education, legal, health and reunion of immediate family members available to permanent residents.

Your petitioners therefore urge the House to implement these changes which are basic to the respect for the human rights and dignity of Asylum seekers.

by Dr Lawrence (from 10 citizens) and Mr Brendan O’Connor (from 20 citizens)

Iraq

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 that the people of Australia have not been consulted on a commitment made that Australia will support an impending war against Iraq.

We are concerned that such a war will:

• Result in the deaths of many Iraqi civilians, as well as Australian US and Iraqi troops.
• Goad Saddam Hussein to use any weapons he has at his disposal in a bid to retain power.
• Cause a civil war in Iraq, enlarge the refugee problem and further destabilise the Middle East.

• Enhance the perception that The West is at war with the Islamic World, thus consolidating the recruitment power of anti-Western extremists.

Your petitioners request that the House shall refuse to commit Australia to join the United States of America in this impending war, and further, that Australia uses what influence it has over the U.S. to convince it to use non-violent strategies such as seeking a Zone Free of Weapons of Mass Destruction over the entire Middle East.

by Dr Lawrence (from 108 citizens) and

Ms Jann McFarlane (from 1,699 citizens)

Iraq

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

This petition of citizens of Australia draws to the attention of the House the widespread concern and disquiet held by many Australians with the possibility of a US led attack on Iraq and Australia’s involvement in such an action.

Your petitioners therefore request the House to:

• use its influence to dissuade the US Government from the threat of precipitate military action in Iraq;
• refrain from all support of such threats;
• continue with diplomatic efforts to reach a resolution of the problems of the region; and
• work through the United Nations, as the duly constituted international body, for building a secure basis for world peace.

by Mr Andren (from 455 citizens)

Iraq

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

The petition of certain citizens of the Shire of Dungog, New South Wales and neighbouring areas draws the attention of the House to our heartfelt concern:

1. That Australia may be a partner in an imminent war against Iraq that may proceed without the support of the Security Council of the United Nations.

2. That despite unprecedented displays of public protest against the movement towards war in Iraq, our leaders display a lack of respect towards those who take a moral stand which supports resolution of the crisis by peaceful means.

Your petitioners therefore request

1. That the House recognises the depth and extent of feeling among the Australian people that all other avenues of non-violent action should be exhausted before any consideration of war, and

2. That the House permits in the Parliament free and full discussion on adoption of a revised policy whereby Australia will not countenance involvement-in a war against Iraq unless such act of war is authorised by the United Nations Security Council.

by Mr Andren (from 140 citizens)

Communications: Australian Broadcasting Authority

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

The petition of residents of citizens of the North West of Queensland draws to the attention of the House the plight of the citizens of this region who have, since November 2001, suffered from a total absence of a regional television news service.

Your petitioners request the House to grant the Australian Broadcasting Authority sufficient authority to enact and enforce licence provisions for broadcasters to provide a relevant news service to their broadcasting area.

The people of the North West also call on the government, as it reviews media ownership laws, to enact regulations ensuring equal news services for all, especially those in far flung areas.

by Mr Andren (from 21 citizens)

Wallalong: Postcode

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

The petition of certain electors of the Division of Paterson draws to the attention of the House the following information:
Wallalong in the Division of Paterson is a small community surrounded by similar small communities (eg; Hinton Morpeth and Woodville.) All of the surrounding communities have a 2321 postcode, however, Wallalong is 2320 the same as the City of Maitland. This puts a higher insurance rating on Wallalong requiring the residents to pay higher premiums than the area should attract.

Your petitioners therefore request the House to:

1. Change the postcode for Wallalong to 2321 to bring it in line with the above surrounding areas and enable residents to obtain the correct insurance ratings.

by Mr Baldwin (from 342 citizens)

Immigration: Asylum Seekers

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

The petition of certain residents of Australia draws to the attention of the House:

That Australia is a signatory to the 1951 UN Convention on Refugees. Under the convention, asylum seekers arriving without papers are not illegal, are entitled to request protection and not be discriminated against.

That Australia arbitrarily reduced its intake of refugees from 20,000 in the early 1980s to the present level of 12,000 and that even this quota has not been filled for the last five years.

That legislation passed in 2001 further restricts the rights of asylum seekers and that Christmas Island, Ashmore reef and other offshore Australian territories have been excised from Australia’s migration zone.

That asylum seekers fleeing persecution in Iran, Iraq, Afghanistan and other places are further punished by Australia’s policy of mandatory detention in remote areas such as Woomera and Port Hedland. That, without foundation, asylum seekers have been linked to a threat of terrorism and vilified as people of bad character who are not wanted in Australia.

Your petitioners therefore ask the House to:

1. Repeal the Border Protection (Validation and Enforcement Power) Bill 2001 and Migration Amendment (Excision from Migration Zone) Bill 2001, Migration Amendment (Excision from Migration Zone) (Consequential Provisions) Bill 2001 and other Migration Legislation Amendment Bills (No 5, Judicial Review, No 1, No 6) that restrict the rights of those seeking asylum in Australia;

2. Immediately end the “Pacific solution” and return to the Australian mainland those asylum seekers who have been transported to Papua New Guinea and Nauru and other Pacific islands;

3. End the policy of mandatory and non-reviewable detention of asylum seekers who arrive without documentation;

4. End the discriminatory practice of temporary protection visas and restore full right to all refugees (including, permanent residency, English lessons, family re-union, the right to work, Medicare, and other social services) and grant an amnesty to all escapees;

5. Increase the refugee intake to at least 20,000 (to be assessed on the basis of need) and unlink onshore and offshore applications for humanitarian visas so that family re-union, refugee resettlement from overseas is not reduced by asylum applications made onshore.

by Mr Bevis (from 25 citizens)
• allow asylum seekers to live freely within the Australian community while their claim for asylum is being assessed;
• immediately free all asylum seekers held in detention;
• give asylum seekers the right to access the same social security allowances as permanent residents, and on the same conditions;
• provide asylum seekers with English classes, and the range of support services appropriate to their needs.

by Mr Bevis (from 566 citizens)

Environment: Kangaroos

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

This petition of the citizens of Australia draws to the attention of the House the intolerable and untenable cruelty to and suffering of kangaroos and their joeys, inherent in the commercial kangaroo industry. Night after night, shooters disrupt the rich, complex family structured mobs, where females educate their young and alpha males fight for the right to pass on the best genes, according to universally accepted scientific dogma of natural selection. It is the largest, unmonitored massacre of wild animals in the world and threatens the very survival of our wild kangaroos, an icon loved the world over.

Our National Symbol, the kangaroo, endearingly known as Skippy, is a good will ambassador without equal and has a right to exist free from fear, pain, suffering and exploitation in his native land.

The importance of the kangaroo to the health and prosperity of this land, for all Australians cannot be overestimated.

Your petitioners therefore request the House brings a halt to the commercial slaughter of kangaroos.

by Ms Corcoran (from 12 citizens)

Immigration: Asylum Seekers

To the Honourable the Speaker and the 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 Cranbourne Regional Uniting Church, petition the House of Representatives in support of the above mentioned Motion.

And we, as in duty bound will ever pray.

by Ms Corcoran (from 45 citizens)

Immigration: Asylum Seekers

To the Honourable the Speaker and the 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 Chelsea Uniting Church Parish, petition the House of Representatives in support of the above mentioned Motion.

AND we, as in duty bound will ever pray.

by Ms Corcoran (from 13 citizens)

Family Services: Child Care

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

Whereas the 1998 Synod of the Anglican Diocese of Melbourne carried without dissent the following motion:
The petition of certain citizens of Australia draws to the attention of the House that:

The Aldinga Community Child Care Centre’s Out of School Hours Care Program is located at Aldinga Primary School, which has 694 students. The Commonwealth Government has allocated only 24 funded before school care places, 30 funded after school care places and 60 funded vacation care places, which is completely inadequate for the Aldinga Primary School’s student numbers let alone other schools in the service area.

The Aldinga Community Child Care Centre has waiting lists to provide care for children aged 0-5 years. The centre was initially licensed and funded for 45 child care places rising to 62 child care places in 1998. Due to the significant increase in community population since 1998 there is a clear failure to provide the community with adequate child care places.

Many parents are unable to work or study during school holidays because there is no child care places available. We have licensing ability but not the funding.

The existing funding allocation for child care, out of school hour’s care and vacation care does not meet community needs in this service area.

We therefore pray that the House will provide adequate funded places for child care, out of school hour’s care and vacation care to meet the desperate need of our rapidly expanding community.

by Mr Cox (from 1,038 citizens)

Taxation: Income Tax

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

This petition of the undersigned citizens of Australia urges the House to call upon the government to raise the tax free threshold level from $6,000 to $10,000 and lower the marginal tax rate payable on taxable incomes over $60,000. Approximately 80% of individual wage earners earn a taxable income of $20,000 - $60,000 p.a. Many are being taxed between 42c-47c in the dollar at marginal rates.

by Mr Crean (from three citizens)

Australian Defence Force: Military Compensation Scheme

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

This petition of citizens of Australia calls on the Parliament to recognise:

1. That defence and war service are unique and due to the nature of this service that private insurance for defence personnel is often difficult to obtain;
2. That Government has an obligation to adequately support members of the Defence Forces who are injured or wounded in the course of duty;
3. That Government has an obligation to adequately support families of defence force personnel killed on duty;
4. That current Defence compensation is inadequate and fails to provide financial security and certainty to Defence personnel and their families in the event of injury or death; and
5. That members of the Defence Forces are entitled to the certainty that they and their families will be adequately compensated in the event of injury or death.

and further calls on the Parliament to ensure that the proposed new Military Compensation Scheme rectifies the current inequities and anomalies which severely disadvantage members of the Australian Defence Forces and their families in real and financial terms.

by Mr Edwards (from 42 citizens)
Medicare: Logan City Office
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 the House and, in particular, the Federal Minister for Health and Ageing, Senator the Hon 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 291 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 following issues to the attention of the House:
• The Howard Government is determined to sell Telstra even though submissions to its own inquiry, the Estens Inquiry, overwhelmingly show that services are still inadequate.
• These submissions also reflect widespread concern that services will decline further if the rest of Telstra is sold.
• The Greens, Democrats and Independents may make deals with the Liberal government to allow the sale to go ahead, despite increasing community opposition to the sale.
• A fully privatised Telstra will focus on profits not people; shareholders will be more important than customers.
• Services will suffer under a fully privatised Telstra, particularly in outer metropolitan, rural and regional Australia.
We therefore pray that the House oppose the Liberal/National plan to sell Telstra and that all Greens, Democrats and Independents join Labor in opposing the sale of Telstra.
by Mr Martin Ferguson (from 22 citizens)

Australia Post: Services
To the Honourable the Speaker and Members of the House of Representatives assembled in parliament:
The petition of certain residents of the State of South Australia draws to the attention of the House that the removal of the post box on the corner of Elder Terrace and Helmsdale Avenue, Glengowrie, South Australia, 5044 by Australia Post has caused unnecessary inconvenience and discomfort to a large number of elderly, infirm and other residents who have been using the post box which has been situated on that site for more than 40 years.
Your petitioners therefore pray the House instructs Australia Post to reinstate the post box to its original site on the corner of Elder Terrace and Helmsdale Avenue, Glengowrie, South Australia.
by Mrs Gallus (from 150 citizens)

Iraq
To the Honorable the Speaker and Members of the House of Representatives assembled in parliament:
The petition of certain southern highlands citizens of Australia draws to the attention of the House the widespread concern, disquiet and anxiety held by many Australians with the planned, unilateral, non UN sanctioned US led attack on Iraq and Australia’s military commitment to such an action of war.
Your petitioners therefore request the House to:
• Resolve that Australia not be involved in any unilateral or UN lead war on Iraq.
• Immediately withdraw all Australian military forces from the planned unilateral non-UN sanctioned invasion of Iraq;

• Continue with all diplomatic efforts, including ongoing support to UN weapons inspectors, to resolve the issue of compliance with UN Resolutions concerning weapons of mass destruction in Iraq;

• Work through the UN to ensure that all countries in the Middle East region comply with UN resolutions concerning weapons of mass destruction and illegal occupations;

• Continue with heightened diplomatic effort to work through the United Nations, as the duly constituted international body, for building a secure basis for world peace.

by Mrs Gash (from 226 citizens)

Family Services: Child Care

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

This petition of citizens of Australia draws the attention of the House to our serious concerns about the current child care system, particularly the low status and standing of workers in the child care field and their appalling wages and conditions. This is despite numerous reports about this issue that the Federal Government has ignored. Qualified child care workers are needed to run quality child care services for our children - our country's most precious resource - and urgent action is required in order to recruit and retain staff in this industry.

Your petitioners therefore request that the House turns its urgent attention to addressing the chronic shortage of qualified workers in the industry and ensuring they are given adequate recognition and reward for their important role in caring for our children.

by Ms George (from 38 citizens)

Medicare: Bulk-Billing

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:

• That under proposed changes to Medicare, families earning more than $32,300 a year will miss out on bulk billing, and doctors will increase their fees for visits that are no longer bulk billed;

• That the rate of bulk billing by GPs has plummeted by 11% under John Howard;

• That’s more than 10 million fewer GP visits were bulk billed this year compared to when John Howard came to office;

• That the average out-of-pocket cost to see a GP who does not bulk bill has gone up by 55% since 1996 to $12.78 today;

• That public hospitals are now under greater pressure because people are finding it harder to see bulk billing doctors.

We therefore pray that the House takes urgent steps to restore bulk billing by general practitioners and reject John Howard’s plan to end universal bulk billing so all Australians have access to the health care they need and deserve.

by Ms Hoare (from 133 citizens)

Iraq

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

The petition of citizens of Australia draws to the attention of the House that we the undersigned are strongly opposed to Australia becoming involved in a war with Iraq, particularly if such a war is instigated without United Nations approval.

Your petitioners therefore respectfully request the House to resolve not to involve Australia in a war with Iraq and further request that the House strongly support the pursuit of a diplomatic solution to the present threat of war.

by Mrs Hull (from 443 citizens)

Iraq

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

This petition of certain women from south west Sydney in the State of New South Wales draws to the attention of the House our opposition to any involvement in a war on Iraq. War is not the solution: we believe that involvement in a war on Iraq will do nothing to decrease terrorism but will increase the likelihood of terrorist attacks on our land and people.

We draw the Australian government’s attention to Kofi Annan’s report to the United Nations Security Council on the impact of violent conflict on
women, now 80% of the victims of war, and on women’s significant work as peace builders, even within the devastation of war. This report strongly urges women’s inclusion in every aspect of peace and security negotiations: conflict prevention, peacekeeping, peacemaking and post-conflict reconstruction.

Your petitioners therefore ask the House to:

• Withdraw support for US intentions to wage war on Iraq.
• Prevent the commitment of Australian troops to a war on Iraq.
• Press for imaginative non-violent solutions to conflict, in accord with the United Nations Charter, involving women equally with men, using the world’s resources to reduce global inequity, relieve suffering and build sustainable peace.

by Mrs Irwin (from 155 citizens)

Immigration: Asylum Seekers

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

The petition of certain residents of the State of Victoria draws to the attention of the House the injustice of imprisoning children in places like the Woomera Immigration Detention Centre. The separation of families and the nature of life in a detention centre (no psychologists, psychotic break-downs, self-harm and suicide) make it imperative, in a Democracy, like Australia, that steps be taken to minimise the damage done to all people, especially the young.

Your petitioners therefore pray that the House review and stop the policy of mandatory detention; that they reunite families and that they treat asylum seekers as people requiring compassion and understanding, not criminals to be punished behind razor wire in isolated camps.

by Ms King (from 372 citizens)

Shipping: Nuclear Armed and Powered Vessels

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

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/or 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 Dr Lawrence (from 240 citizens)

Immigration: Asylum Seekers

From the citizens of Australia to the Speaker of the House of Representatives, Parliament of Australia

We the undersigned Australians respectfully request the Speaker of the House of Representatives, as an Act of Grace from the Parliament to the people of Australia, to support all asylum seekers and refugees in Australia’s care. They are people who have committed no crime and deserve our compassion and help.

We ask that the symbolic date of Easter 2003, an Act of Grace by the Parliament of Australia take place to:

1. Grant permanent residence to all refugees currently on Temporary Protection Visas who have been law abiding.
2. Authorise the immediate release into the community of all asylum seekers who are not a health, identity or security concern.

by Dr Lawrence (from 1,317 citizens)

Environment: Climate Change

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 that Australia will be significantly affected by the impacts of climate change and that it is in Australia’s national interest for an effective international regime for constraining greenhouse gas emissions.

We further recognise the findings of the GSIRO, which has found that climate change will dra-
matically affect coral reefs, alpine ecosystems, mangroves and wetlands and that there will be more water shortages, increased geographic extent of tropical pests and less snow.

We, therefore call on the Government to commit to a long-term approach to addressing climate change, including:

- A commitment to the Kyoto process including a strong diplomatic push to ensure resolution of the outstanding issues in international negotiations in order that the Protocol can be ratified by 2002,
- A commitment to introducing national legislation to bring land clearing to a halt,
- A commitment to the inclusion of a greenhouse trigger that recognises climate change as an issue of national environmental significance.

Your petitioners therefore ask the House to ensure a real commitment to Australia’s environment.

by Ms Jann McFarlane (from 79 citizens)

Insurance: Medical Indemnity

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

The petition of certain residents of the state of New South Wales draws to the attention of the House the Medical Indemnity Insurance issue. Your petitioners therefore request the House to:

1. Develop a medical accident and compensation scheme that will see patients’ problems dealt with outside the courts.
2. Establish a National Accident Scheme to cover all injured patients.
3. Develop a standard procedure for settling claims rather than the present case by case system.
4. Develop a nationally coordinated system whereby the legal procedures are consistent across all states and territories of Australia.
5. Develop a way of resolving disputes without having to go through the legal system.
6. Prevent legal practitioners from advertising ‘no win no fee’ arrangements.
7. Set a period of three years in which a claim can be made.

by Dr Nelson (from 231 citizens)

Environment: Kyoto Protocol

To the Honourable the Speaker and members of the House of Representatives assembled in Parliament: This petition of concerned residents of Australia draws the attention of the House to the issue of environmental damage resulting from the production of Greenhouse Gasses. Continued deterioration of the environment will be destructive to weather patterns and lead to catastrophic economic and social damage around the world.

Your petitioners therefore request the House to immediately ratify the Kyoto Protocol and help preserve the environment for present and future generations of Australians.

by Mr Gavan O’Connor (from 564 citizens)

Iraq

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

This petition of certain members of the Gisborne Secondary College community draws to the attention of the House the disquiet held by many of the community regarding a possible military attack on Iraq, and any Australian involvement in such an action.

Such a conflict may result in the deaths of Iraqi citizens & or Australian Defence Force personnel. It could further destabilise Australia’s international diplomatic position and put Australian civilians at risk of retaliation.

Your petitioners therefore request the House that:

- Australia take NO military action against Iraq and its people.
- Australia should use every possible alternative before supporting military action and committing Australian troops to combat.

by Mr Brendan O’Connor (from 276 citizens)

Medicare: Bulk-Billing

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:
That the biggest ever drop in GP bulk billing since the introduction of Medicare occurred in the last 12 months;

That the rate of bulk billing by GPs has been in serious decline and has fallen by almost 10% since 1996;

That the average cost to see a GP who does not bulk bill has gone up from $8.32 in 1996 to $12.89 today- an increase of 54.9%;

That unless the rate of bulk billing by GPs is increased, a greater burden will fall on our public hospitals to treat Australians who cannot afford a visit to the doctor.

Your petitioners therefore request the House take steps to ensure that all Australians can access bulk billing.

by Mr Sciacca (from 561 citizens)

Family Services: Child Care

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

This petition of citizens of Australia draws the attention of the House to the decision not to provide In-Service Provider training funds to Queensland childcare services. Our opposition to this decision is based on the following—

• The Government has singled out Queensland from any other state by halving by $500,000 in childcare in-service training funds;

• Childcare workers across Queensland will not have the same access to in-service training as in other states;

• This decision is also of concern to children and families across the State who are using child care services;

• The Government should not be able to axe funding to a program that is currently under review.

Your petitioners therefore request that the House turn its urgent attention to:

1. Seek an urgent review of this decision.
2. To reinstate in-service training funds to Queensland childcare services.
3. To adequately fund the following Queensland childcare training and resource organisations—Lady Gowrie Queensland; QCOSS—Child Care Management Training and Support Unit; Family Day Care Association Queensland Inc.; and Queensland Children’s Activities Network QCAN Inc. to deliver ongoing quality in-service training to all Queensland childcare services.

by Mr Sciacca (from 54 citizens)

Iraq

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

We, the undersigned, believe that the threatened war on Iraq and the repression of asylum seekers in Australia are both affronts to human rights and peace, and a drain on funds that should be used more appropriately in a time of severe drought. We call upon the Parliament of Australia to:

• refrain from participating in any military campaign against the people of Iraq;
• reverse the policy of mandatory detention of asylum seekers; and
• to bring about vastly improved measures to assist rural Australians in a time of crisis, including increased funding for drought relief, improved access to Exceptional Circumstances assistance, and improved infrastructure and services for rural regions.

by Mr Bruce Scott (from 85 citizens)

Iraq

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

The petition of certain residents of Australia draws to the attention of the House our opposition to the involvement of Australia in a war against Iraq. The petitioners therefore ask the House to request our Government to cease our involvement in a war against Iraq.

by Mr Windsor (from 750 citizens)

Petitions received.

PRIVATE MEMBERS’ BUSINESS

Environment: Parks, Conservation Areas and Reserves

Mr HARTSUYKER (Cowper) (4.48 p.m.)—I move:

That this House:

(1) notes the recent announcement of the Carr Labor Government to declare 65,000 hectares of land as 15 new National Parks,
(2) is concerned that this declaration may be in breach of the Regional Forest Agreement between New South Wales and the Commonwealth;

(3) is concerned that the removal of this land from production will impact upon timber resources required to sustain employment in timber communities and the future viability of those communities; and

(4) is concerned that substantial Commonwealth and New South Wales Government funds invested under FISAP will be placed at risk as a result of this declaration.

I am putting this motion to the House because I am concerned about the future of the $256 million timber industry in the north-east of New South Wales and the 1,400 people employed in it. In March this year the New South Wales Labor government made an announcement locking up 65,000 hectares of forest in the north-east region of the state. This declaration has very serious economic and environmental repercussions, which I ask the House to recognise in this motion. It is important to note that this declaration was made in the context of the New South Wales state election. It was made at the height of that election, a time when the Carr Labor government was seeking Greens preferences. Conservation is a very important environmental issue. However, this decision to lock up 65,000 hectares of forest was born of cynical political opportunism in the heat of a general election rather than any real concern for the environment.

The regional forest agreement, or RFA, was finalised in 2000. It was an agreement between the Commonwealth and the state governments on the conservation, protection and logging of forests. The purpose of the RFA was to provide some security over the next 20 years to the forest industry. In the process of making the regional forest agreements, areas were assessed for their conservation value. Certain forests were specified as having little or no conservation value, and the industry was allowed to log in these areas. The agreement was to deliver unprecedented security to the industry and the workers within it, and, through security, the confidence to invest in an industry that would be viable in the long term. It also incorporated a significant forest industry assistance package. It was a balanced outcome and it represented more than three years of detailed scientific analysis and stakeholder and community consultation. That security has been thrown out the window with this declaration, and confidence has been severely damaged.

The Premier of New South Wales, Premier Carr, said in this announcement that his government would continue to guarantee the minimum allocation to the industry, totalling some 269,000 cubic metres of timber per annum over the next 20 years. The Premier has said that the declaration of these areas as national parks, state conservation areas and state forest reserves—the declaration locking up these areas—will not affect the supply of timber. A total of 219,000 hectares has now been reserved and taken from the guarantee given to the industry under the RFA. The guarantee has been breached by the Carr Labor government. It was a guarantee of sufficient forest to supply 269,000 cubic metres of timber to the industry per annum. Bob Carr says that taking this amount of land will not affect the supply of timber.

Premier Carr’s contention is not possible physically, mathematically or ecologically. It will mean that the supply that has been guaranteed to the timber industry will fall. The result of that will be that foresters will have to get their timber supply from a decreased area. The pressures on the remaining land to meet production targets cannot be good for the environment. We currently have a deficit of forest product imports of some $1.7 bil-
lion. We should be encouraging sustainable forest industries for the economic prosperity of the country as well as for sensible environmental outcomes. The effect of putting the squeeze on our domestic sources of production will be that we will have to import more. This means that we are potentially encouraging a shift in production from the managed to the unmanaged forests of the world. Hence, from a global perspective, environmental outcomes following Bob Carr’s declaration could be far worse.

I have sighted Bob Carr’s signature on the RFA document, an agreement between the Commonwealth and the state of New South Wales which was intended to be binding on the parties. These recent declarations call into question the value of the signature of Bob Carr. They call into question the value of commitments made by the New South Wales government. After more than three years of a painfully detailed process of scientific research and evaluation, the RFA was reached, concluding that these areas now being reserved and locked up by the New South Wales government had little or no conservation value. Then suddenly in March, in the heat of the New South Wales state election, it appeared that they do have conservation value—the conservation of Bob Carr’s Labor government.

The environmental basis upon which the declaration has been made is shaky at best. One of the areas to be locked up is Pine Creek Forest in my electorate. Much of this area is plantation timber. Much of the forest to be locked up is not native to the area—for instance, gympie messmate from Queensland is grown there. A reasonable person would presume that forests of high conservation value should at least be native to the area rather than made up of imported species.

One of the long-standing sawmilling companies in my electorate, which is located right in the heart of the region, will be affected by this. They employ around 50 people. They believe that their quota will be halved. At least eight people will lose their jobs at the sawmill within 12 months. The House might be interested to know that the supply of timber to this mill is already low and the mill operates without a great deal of certainty as to where its next load of timber will be coming from. This is something of concern for business stability and, of course, jobs. There have been occasions when mills have run out of timber altogether, and I have also been told of instances where demand has been met by trucking in timber from the south of the state. The flow-on effects will be disastrous for the fragile local rural economy. Of course if you halve the mill’s quota that will impact on associated industries, such as the transport industry, which carries the timber from the mill.

The Carr Labor government’s proposals are currently before the New South Wales parliament. That legislation also proposes to limit the rights of enjoyment to land held under perpetual leases in New South Wales. It proposes to give the environment minister in New South Wales powers that will interfere with the quiet enjoyment and exclusive possession of perpetual lease land.

I wish to speak of two constituents in my electorate who hold their lands under perpetual lease: Mr Jim Freeman and Mr Terry Tibbitt. They are very concerned about loss of property rights. No straight answers have been forthcoming from the Carr Labor government to clarify what rights perpetual leaseholders will have under these changes. This is an issue of concern for Mr Tibbitt, Mr Freeman and others throughout New South Wales who are having their property rights interfered with.

Is this issue significant? The House might note that a report by the New South Wales
Lands Department in 1989 said that there were 22,000 perpetual leases held in the state. I understand that that covers about 38 per cent of the land area of New South Wales. Those leases carry with them certain economic expectations and enjoyment rights which are vested in the lessees. These will be eroded under the legislation. Compensation may be payable to these lessees and to many participants in the timber industry who have planned their businesses into the future on the basis of a certain level of supply—some 269,000 cubic metres of timber which was guaranteed under the RFA signed by Bob Carr on 31 March 2000. Some have spoken of over $200 million in compensation being payable.

Bob Carr has abandoned the perpetual leaseholders as well as the timber industry. He has broken the spirit of the RFA entered into with the federal government, which was carefully designed to ensure ecologically sustainable management of forests in the north-east of New South Wales and certainty for forest based industries and communities in the north-east region.

Point No. 4 in the motion addresses the issue that, due to Bob Carr’s actions, the Commonwealth’s investment in FISAP is at risk. The House might note as background that FISAP—the Forestry Industry Structural Adjustment Package—is a program set up to provide structural adjustment assistance to forest industry businesses and workers. It is a strategy for helping those participants adjust to the RFA entered into in 2000 and either remain viable players in the industry or exit.

The RFA was an agreement between the New South Wales and Commonwealth governments. It was signed by Premier Carr and the Prime Minister. The agreement committed both governments to see to the administration and management of the forests in New South Wales for the following 20 years. It also committed both governments to assist the industry through FISAP.

Significant Commonwealth funds have been spent on FISAP. To date, some $60 million has been injected into the industry through the package. This money is at risk because of the forests declaration. The funds put into the industry have been an investment by the Commonwealth in the next 20 years of the industry. If demand for timber cannot be met, the mills will shut down. This will put the Commonwealth’s investment under FISAP at very substantial risk indeed.

The House should note that the actions of Bob Carr are without scientific basis, attack the foundations of the RFA, place substantial Commonwealth investment under the FISAP program at risk and may ultimately result in negative environmental outcomes. In commending this motion to the House, I ask members to consider the families of the workers who will be affected by Carr’s declaration and the timber communities, industries, businesses and individuals who have made investments and will suffer from the breaking of the promise of certainty by Bob Carr.

The DEPUTY SPEAKER (Hon. I.R. Causley)—Is the motion seconded?

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

Ms LIVERMORE (Capricornia) (4.57 p.m.)—From what I heard in the speech by the member for Cowper, it appears that the way he is approaching this announcement by the Carr government is nothing more than scaremongering on his part. Let us remember that the announcement made recently by the Carr government was in fact keeping an election promise that was made very public during the last campaign, only a couple of months ago. I remind the member for Cowper and his National Party colleagues that the result of that election campaign was that the
Carr government was re-elected with an overwhelming majority and given great support by the people of New South Wales. That support came in response to very heavy campaigning around these sorts of environmental issues, so it is clear that the Carr government has a mandate for the decisions it is taking in putting these measures in place.

It was a very significant announcement by the Carr government. The idea of the announcement is to protect the remaining forest icons in north-east New South Wales while ensuring sufficient timber to maintain long-term supply agreements and industry jobs. The announcement that was made recently is all about keeping the government’s election commitment. That commitment will protect the remaining forest icons in north-east New South Wales, and that will protect virtually all old-growth forests on public land. This level of protection is unparalleled in Australia.

Areas to be transferred include Wollumbin, which adjoins the Mount Warning National Park and protects rainforest, including the World Heritage listed Amaroo rainforest and old-growth; the Whian Whian forest; Chaelundi, which will add to one of the largest areas of old-growth forests left in north-east New South Wales and is an important habitat for the tiger quoll, the powerful owl and the sooty owl; Little Wonder, which will act as an important corridor to link the New England wilderness area and Dungirr National Park, protect old-growth and rainforest and act as an important habitat for the powerful owl, the tiger quoll and the giant barred frog; and Jilliby, which will protect 40 threatened and significant fauna species such as koalas, the long-nosed potoroo and yellow-bellied and squirrel gliders. I guess the point I am making by listing those areas of forest is to spell out just how significant that announcement is and that it is about protecting forest icons in New South Wales.

Of course it goes beyond just the aesthetics. The government’s moves will significantly improve the level of protection of biodiversity within the north-east reserve system, including the protection of threatened or regionally significant plant and animal species and the protection of forest ecosystems, rainforest and old-growth. This announcement is very significant. It is part of the Carr government’s very serious commitment to the environmental protection required in his state. I again remind members opposite that these promises, made during the election campaign, were given resounding support by the public of New South Wales.

I would also like to go over some of the other commitments from the Carr government which just go to show that this is a government that has demonstrated the ability to work cooperatively with industry, environment groups and the primary industry sector to come up with ways of getting the best outcome for all these sectors. One of the great examples of the Carr Labor government is the Sustainable Energy Development Authority which, through its partnership approach with industry and environment groups, has delivered new industry sectors in the renewables area that have led to more jobs. In fact, SEDA has fantastic figures. Since 1996, the work of SEDA and its business partners has attracted $620 million in investment in New South Wales.

The Carr Labor government has also worked very cooperatively with scientists from the Wentworth Group, landholders in New South Wales and environmental groups to come up with cooperative approaches to halting land clearing and improving the salinity situation in that state. The Carr government has a proud record of these sorts of partnerships, and I think it is purely scaremongering on the part of the members opposite today to suggest that this will not continue in the forest industry. Quite apart from
that, it is a significant environmental measure from the Carr government and should be applauded. *(Time expired)*

**Mr NAIRN (Eden-Monaro) (5.02 p.m.)*—
The Carr government’s decision to declare 65,000 hectares of land in northern New South Wales as 15 new national parks, state conservation areas and state forest reserves demonstrates Bob Carr’s real attitude towards forestry and the timber industry in general. The signing of regional forest agreements followed extensive studies and the addition of hundreds of thousands of hectares of new reserves. Fewer than two years after pen was put to paper, Carr was prepared to just abandon the deal without consultation.

Before the New South Wales state election on 22 March, I predicted in a media release that Carr was moving towards trying to set up a cosy preference deal with the Greens in Monaro. It is with no pleasure that I can now say that I was right. At the eleventh hour, after the Greens said that they would not do a preference deal with Labor in Monaro, there was a sudden turnaround. A media release at the time from the Greens candidate said:

We are willing to preference the ALP if there is a public announcement that:

- No New South Wales native forest will be used for charcoal production or biomass burning;
- There will be an immediate moratorium on logging in the CRPs already identified, being Deua, Badja, Nalbaugh, Cathcart, Monga, Wandella, Coolangubra, Murrah and Yuarmim, a reduced logging regime for the Clyde River catchment, and a commitment to the creation of National Parks out of these CRPs within twelve months;
- Recognises that woodchipping of native forests is both economically and environmentally unsustainable;
- There will be a package for any timber workers displaced by the moratorium and the creation of these Parks which includes:
  - An option for Government buy-back of machinery;
  - Six months salary and/or immediate reemployment in the new Parks in restorative and maintenance areas.

Interestingly, we have not heard those sought-after assurances stated publicly. But we do know the preference deal did occur, to the great advantage of the Labor candidate and now state member Steve Whan.

It would be fair to say that this had a major impact on the final outcome of the election result in Monaro. On election day, I was handing out how-to-vote cards in Eden for the former National Monaro MP Peter Webb. A former federal member for Eden-Monaro, Bob Whan, father of the Labor candidate, was also there. The Greens were nowhere to be seen, probably because they were not game enough to show their heads in that area considering the job losses they were involved in with Carr.

But the Greens still had how-to-vote cards, and this is how it worked: a lady who obviously did not want to vote Labor or National came along, and Bob Whan sidled up to her and said, ‘Are you looking for a Greens how-to-vote card?’ She obviously said yes, and out of Bob Whan’s back pocket came the Greens how-to-vote card. He said, ‘Here you are; here is a Greens how-to-vote card.’ I said to him, ‘Great symbolism, Bob: got the Greens in your back pocket.’ That is what happened. What we want to know is what promises were made by the ALP, because they did the deal but they did not make the public announcements. The people of Monaro deserve to know how Labor plan to deliver those promises without destroying more jobs in the region.

The recent federal budget saw an extension of the Forest Industry Structural Adjustment Package. This means that around $31 million of FISAP funding will now be available in the next two years to promote investment and employment in the native
The focus for FISAP now will be on processing and marketing initiatives to ensure our industry is not only sustainable but also internationally competitive and focused on value adding. Despite the pressures on this year’s budget, the Howard government has recognised the importance of the native timber industry to the viability of many rural and regional communities as well as to the national economy. Extending FISAP for a further two years represents a clear demonstration of this commitment and will benefit rural and regional communities like many in Eden-Monaro.

At the same time, Bob Carr seems determined to lock up more forest area to keep the Greens onside. With one hand, we give timber companies assistance with FISAP funding to stay in business after the industry shake-up in recent years, then Carr forces them out of business for a bunch of preferences. This demonstrates how the New South Wales Premier is prepared to put votes well ahead of people. For these reasons, I strongly endorse the motion moved by the member for Cowper. I notice that the ALP opposite cannot find a member of parliament from New South Wales who is prepared to speak on this motion. They put up somebody from Capricornia and now somebody from Victoria who have no idea about the RFA process at all.

Mr BRENDAN O’CONNOR (Burke) (5.07 p.m.)—I rise to talk about the motion moved by the member for Cowper relating to the regional forest agreement process. Unbeknownst clearly to the member for Eden-Monaro, I do know something about this issue. He would have to concede that this is a national issue—that is, it is a federal matter dealing with all the state governments and the Commonwealth. This issue is important to this country because we need to find a way to get the right balance for an ecologically sustainable future but, at the same time, we need to ensure that employment in regional areas is protected wherever possible. The difference between those on this side and those on the other—

Mr Nairn interjecting—

Mr BRENDAN O’CONNOR—I hear the member for Eden-Monaro making some comments across the chamber. We do not know what how-to-vote card he was handing out on New South Wales election day but, as there was no Liberal candidate running, I presume it was for another political party. The fact is that the Labor Party and Labor governments deal with these issues by looking at the balance between ecologically sustainable outcomes and employment. We have concerns for workers in this industry and, at the same time, we have concerns to ensure that the forests are protected and there for our children and their children.

Therefore, the RFA has an impact on my electorate as well. Indeed, a large proportion of the Wombat Forest is in the electorate of Burke, and I therefore have concerns about the way in which the RFA was debated, obviously in a term prior to my election to office. It has an impact on the way in which my communities are going to cope with the changes. I have spent quite a significant amount of time discussing these issues with the major employer in Wombat Forest—Black Forest Timbers—their work force and the environmentalists in the region. Clearly there are some concerns about whether their future is a bright one. So that there is no mistake from those opposite, can I say that I do have concerns about jobs in the region, and I meet them directly. When I turn up to a workplace, I do not just go into the boss’s office; I talk to the workers. That is what we do on this side of the House—we speak to the workers directly. I have concerns about where we can find work for those workers if they are to lose their jobs and how they can
acquire the skills to ensure that they maintain employment. It is a big issue for us on this side of the House.

I will not take the word or the assertion of the mover of the motion that the Carr government has been in any way in breach of the regional forest agreement, but I can say this: everyone would agree that we need to ensure that there is some certainty for everybody in this area. There needs to be certainty to ensure that the communities are happy and that there is proper environmental protection. There needs to be certainty so that there can be some decent investment, which will ensure that there is regional employment and that that employment is sustainable. That can only be endured if the plan put down by state and federal governments is ecologically sustainable. That is the underpinning of this area of policy. Therefore, the attempt to have a few shots at the Carr government has missed the point. Clearly, the mover and the speakers from the government on this issue should have focused their energies on looking at ways that we can get that balance right.

Just for the record, and by way of contrasting the comments made by the member for Eden-Monaro, interestingly, even though this Bracks government made decisions to ultimately close the Wombat Forest and, indeed, made a decision to close the Otway State Forest, the Greens in the area split their tickets in preference to the Liberals. That is, they put them on the preferred area of their how-to-vote cards. I do not know what arrangement was undertaken there between the Liberal Party and the Greens, but I agree that, on occasions, there should be greater scrutiny of the way in which the Australian Greens preference. Clearly it is not always policy pure. Quite often there is scrutiny of the major parties and the way in which they preference. I listened with interest to the comments made by the member for Eden-Monaro. I draw the attention of the House to the fact—and certainly I was most disappointed—that the Greens could not clearly see that in relation to our area we were the preferred party and the preferred government of Victoria. (Time expired)

Mr BALDWIN (Paterson) (5.13 p.m.)—I rise today to support my colleagues from New South Wales in this debate concerning the future of the timber industry. This is an industry with a long history in the electorate of Paterson. Gloucester, Bulahdelah, Dungog, Stroud and Booral are all towns in Paterson where timber has created many jobs. Gloucester is, in fact, celebrating its centenary year. For many of those 100 years, there has been some very good economic and employment times, thanks to the timber industry. Unfortunately we are here today to debate the announcement by the New South Wales government to make 65,000 hectares of land into 15 new national parks, state conservation areas and state forest reserves. It is an announcement that has sent shivers into the timber industry and created further insecurity for the sector. In making deals with the Greens, the New South Wales government have foolishly failed to listen to the people in the industry and have once again shown their contempt for forestry jobs. In recent years, timber mills have spent hundreds of thousands of dollars in their own businesses to ramp up the technology they need to remain competitive and viable. The decision to lock up another 65,000 hectares of land will mean that mills will have further resources stripped away from them. The certainty of supply has gone and now, more than ever, jobs are on the line.

This industry has been waiting for over four years for security and now it faces this new tidal wave of resource insecurity. Millers are saying that these reforms will mean supply cuts of up to 50 per cent. Booral have already suffered a reduction in supply from 184,000 cubic metres to 165,000 cubic me-
tres. But what about the smaller mills and companies like Newell’s Creek Sawmill, Relf’s Sawmill in Bulahdelah, Gorton’s at Coolongolook or, indeed, the Nicholas sawmill in Booral? Where are they going to get their timber and how are they going to survive with supplies diminishing?

And what will be the cost to our local communities? It could mean compensation payments to the industry of up to $238 million, and again it will be the taxpayers who will be paying very heavily for deals between the New South Wales Labor Party and the Greens. It again highlights poor policy in a desperate grab for preferences. The timber industry’s dislike for this policy was clearly shown at the recent New South Wales election, where the seats of Clarence, South Nowra and Bega all showed that support for Labor had dropped significantly. These are areas that rely heavily on the timber industry, and voters clearly showed at the ballot box that they do not want the reforms.

At issue is the sustainable management of forest areas, thrown out the window by the New South Wales government and replaced by political decisions aimed at attracting city voters. It is a scandalous situation, when you consider that the New South Wales government brag about their green policies in the creation of millions of hectares of national park since coming to office. It is scandalous to have seen some of the worst bushfires in history exacerbated by the state government’s mismanagement of national parkland. The Hunter region has seen significant destruction of property through fires in Port Stephens, Gloucester and the Great Lakes regions. Here in Canberra no-one will forget the fires that ravaged this community. The New South Wales government have demonstrated that they cannot properly manage the land they have locked up in national parks as it is, let alone an additional 65,000 hectares of land.

They would have you believe the land they are locking up is pristine old-growth forests. Yet the fact is that it is mostly managed regrowth timber areas. The industry is concerned that the decision by the New South Wales government to add another 65,000 hectares of national park is actually a breach of the regional forest agreement. This regional forest agreement went through this parliament in 2002, after 50 hours of debate, two Senate committee inquiries and three previous attempts to pass RFA bills through the parliament over four years. Since that agreement went through, the Commonwealth has invested a significant amount of money through the Forest Industry Structural Adjustment Package to support and encourage the forestry industry. In 2002-03, that investment in FISAP is around $47.4 million. The question is: is that investment going to waste, when the Carr government continue down the path of their reforms and effectively shut down the forestry industry?

Since November 2001, the Commonwealth has invested over $812,000 in the timber industry in Paterson alone and this has significantly helped the local industry by securing jobs. Local timber mills in my electorate of Paterson are concerned about their future and their security. I support this motion before us today because I care about our timber industry. It is an industry that has been searching for security for far too long and I fear that political decisions being made by the New South Wales government will do nothing but cause the loss of further industry jobs.

Finally, I note that there has not been a single speaker in this debate on the timber industry from the Labor Party in New South Wales, and the member for Hunter has been noticeable by his absence in this debate. Clearly he does not stand up for jobs in New South Wales—and, importantly, nor for the jobs of those in the CFMEU in his electorate.
Mr ALBANESE (Grayndler) (5.18 p.m.)—I support the decision of the Carr Labor government to declare 65,000 hectares of land as 15 new national parks, state conservation areas and state forest reserves. The Carr Labor government has got the balance between jobs and the environment right. Sustainable development means that in the long run you protect the environment but you also ensure that jobs are created, including value adding jobs. I would prefer to have the sorts of decisions made by the New South Wales environment minister, Bob Debus, and my friend the secretary of the CFMEU forestry division, Craig Smith, who have worked together in partnership to ensure the best result for the environment and the best result for jobs.

This decision has got the support of people from New South Wales—such as, since the election on 22 March, the new state Labor member for Monaro, Steve Whan, who will continue the work that Labor state members have done—which is why Labor has got such massive endorsement right across New South Wales. We have seen National Party and Liberal Party members rejected in regional New South Wales and again we saw the loss of Tamworth to another Independent, joining Independents in Northern Tablelands and Dubbo.

The DEPUTY SPEAKER (Hon. I.R. Causley)—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. The honourable member for Grayndler will have leave to continue his remarks when the debate is resumed.

Supported Employment Sector

Ms ELLIS (Canberra) (5.19 p.m.)—I move:

That this House:

(1) recognises the valuable role of the supported employment sector in providing paid work to people with disabilities;
(2) notes that employment gives people with disabilities not only an income, but also important social and developmental experiences;
(3) asserts the need to ensure that pay and working conditions for people with disabilities are fair and meet minimum standards;
(4) notes Government reforms in this area including Quality Assurance reforms and the introduction of case-based funding to business services;
(5) acknowledges that unless these reforms are introduced in a coordinated manner and with adequate support to the supported employment sector, the viability of many business services in this sector may be threatened and that, according to the Department’s Case Based Funding Trial Final Evaluation Report: Main Findings (October 2002, page 14), “based on maintenance funding levels, 67% of Business Services would operate at a deficit, 5% at close to break even and 28% at a surplus”; and
(6) calls upon the Government to:
(a) consult with the supported employment sector to ensure that the original December 2004 deadline for certification allows optimal outcomes to be achieved;
(b) provide adequate assistance to the supported employment sector, so that nil, or a minimum number of businesses become unviable leading to loss of employment by some people with disabilities;
(c) liaise with people working in business services and their families to ensure that they are prepared for the transition or closure of the business service; and
(d) liaise closely with the State/Territory governments to ensure that they are prepared and able to manage the
increased demand on services as a result of business service closures.

People with disabilities who are employed in business services gain a great deal from their employment experience. I am not talking about the gain of income, because it is well accepted that the wages of business service employees are low. I am talking about the opportunity to interact socially with their counterparts and to participate in our society through employment. These opportunities lead to increased self-confidence and feelings of self-worth. This is the service aspect of business services. I am convinced that most of the business service operators I have met are committed to providing these opportunities to their employees. I am convinced that most have their employees’ interests at heart.

The reason I have moved this motion is that the disability employment sector is in crisis. This is what I am hearing from business services, people with disabilities and their families. This crisis makes me feel angry. This crisis is a result of the government’s mismanagement of the major reforms in this sector. These reforms include quality assurance reforms and the introduction of case based funding to business services. When the quality assurance bill was originally debated in parliament in March 2002 and then again in November 2002, I supported these reforms in principle but made a very important qualifying statement about my support. Again, in my speech on 13 November last, I said:

We have endorsed and supported the quality assurance work the government have done so far in this sector, but we have made it very clear that the parameters we set are that it will work only if the intent is honest and true ... I do not want to see one person more than necessary—in fact, I do not want to see one—who is currently employed in a business service in this country lose their spot because of some legislative outfall from this procedure.

The reason there is now a crisis is that the additional support measures required to ensure a successful outcome have not been provided. To make matters worse, the reforms have been forced upon the sector within a very short and unrealistic timeframe.

I would like to know why the Howard government has mismanaged these reforms. At best, the government has no vision for the disability employment sector. The government has not clearly expressed what it wants from business services and clearly does not know how to meet the real needs of people with disabilities. Policy development in this area has been like a puzzle. Policy makers have been placing the pieces into the puzzle one by one. The problem is that these policy makers do not know what the picture actually is and the government has not told them. So the puzzle is a complete mess.

At worst, the government does have a vision, but it is not being honest about this vision. Some believe the government’s real agenda is to reduce its responsibility for and expenditure on disability employment services. According to Maree Ireland, who wrote an article in the August/September 2002 issue of the Access journal:

It has ... been suggested by some disability groups that the Commonwealth government is comfortable with the idea of closure of sheltered workshops that are unprofitable as this will push people with high support needs into the state system and shift costs currently met by the Commonwealth under the Commonwealth State and Territory Disability Agreement (CSTDA).

Let us now examine how these reforms threaten the viability of business services. One of the biggest issues is that business services are being asked to pay their employees pro rata award wages. Whilst I strongly agree that people with disabilities are entitled to the same employment rights as other workers, the issue of wages for people with
disabilities is complex. This is especially true in relation to people with high-level needs. The capacity of business services to remain viable if they pay pro rata award wages is at question.

Business services were originally set up as sheltered workshops to meet the needs of people who required high support and were considered then to be unable to participate in open employment. The issue of profit for those sheltered workshops was not of major concern. Initially the rights of employees, especially in relation to wages, were not a primary concern to people with disabilities and their families. They did not see sheltered workshops strictly as employers; they saw them more as service providers. Business services now have a different mission. They are not there primarily to provide a service; they are now expected to be profitable. I cannot help but strongly agree that a company which makes a profit through the work of its employees should pay them appropriate wages. However, is this the role of, and the reality for, business services? Are they now primarily a business rather than a service?

The viability of business services is being threatened because they have to meet certification standards by the end of 2004 or they will lose eligibility for government funding. Many say they will not be able to meet this deadline. Just to add further chaos to the sector, the government introduced a quality assurance system without including the wage assessment tool being developed by the government at the time. So we now have this odd situation where the government is developing a wage assessment tool which is part of a quality assurance system that has already been introduced. When will this new wage assessment tool be released? The sector has been waiting for months.

Another piece the government has added to this complicated puzzle is the plan to introduce a system of case based funding. According to the department’s Case based funding trial final evaluation report: main findings (October 2002):

Limited analysis of business service providers suggests that most providers are unlikely to be viable under current CBFT— that is, case based funding trial— arrangements.

No wonder Minister Vanstone has asked her department to go away and do some more work on the funding model.

Thankfully, the government included some measures in this year’s federal budget to assist the disability employment sector, but I doubt they will prevent the looming crisis. I was pleased to note that the federal budget provided an additional $25.4 million over four years to assist disability business service viability—that was until I read the details of this measure in the ACROD news fax of 13 May 2003. I am not convinced that it will solve the crisis facing business services and I have grave doubts about how effective this particular initiative will be in protecting the employment of people with high-level disabilities and low productivity levels.

According to ACROD, this funding will be spent on ‘a panel of business analysts’ and might involve ‘advice on marketing, business planning or organisational change’ or ‘payment of the costs of mentors’. I am not convinced that this is the best use of $25.4 million or that it will help business services or employees in the long run. There may, of course, still be more details to be announced. I note the federal budget initiative of $135.3 million over four years to assist the implementation of case based funding. I look forward to obtaining more information about this budget measure in the near future. Un-
fortunately the budget papers do not include that detail.

The crisis facing the disability employment sector and people with disabilities is purely a result of Minister Vanstone’s mismanagement of the reforms in this sector. Had the reforms been introduced in a coordinated manner and with appropriate support measures, the sector would not be facing this chaos and the federal budget would not have needed to include these initiatives as a last-minute rescue mission.

I call upon the government to act upon this motion today. Do not allow business services to close down because they are unable to meet the unrealistic deadlines that have been set. Work closely with those business services and provide real assistance to ensure that they will not close down. Do not allow people with disabilities who are currently employed in business services to fall through the cracks. Work closely with current employees and their families to ensure that they are prepared for any transition period and any closure of any business service.

The government must not ignore its responsibilities to people with disabilities currently employed in business services and who may lose their job. Work closely with the state and territory governments to ensure that they will be able to manage any increased demand in their services from people with disabilities who may lose their job. Stop using the Commonwealth-state-territory disability agreement as a political football and work with the states and the territories to improve the quality of life for people with disabilities.

The current reforms are clearly failing. Minister Vanstone must guarantee that business services and their employees will not suffer as a result of the Howard government reforms; otherwise, the minister should place a moratorium on those quality assurance deadlines. The Labor Party would not allow this crisis to happen. As much as I support the intentions of the quality assurance reforms, I am not willing to allow people with disabilities who are currently employed in business services to lose their jobs and then be left with no other options.

A Labor government would place an immediate moratorium on the quality assurance deadlines. We would ensure that the immense pressure currently placed on business services to meet these deadlines was released and that people with disabilities were able to continue their employment opportunities in business services. We are also committed to a higher standard of working conditions for these employees, but we will prevent the fallout which seems bound to occur under the current government if the status quo remains.

The DEPUTY SPEAKER (Hon. I.R. Causley)—Is the motion seconded?

Mr Brendan O’Connor—I second the motion and reserve my right to speak.

Ms GAMBARO (Petrie) (5.29 p.m.)—I am very pleased to speak to the motion put forward by the member for Canberra and also to acknowledge the value that we place on employment opportunities for all Australians. I agree with the member for Canberra: employment gives people more than just an income; it provides opportunities and experiences for socialisation and skill development and, most importantly, can boost self-esteem.

Australia is one of the few OECD countries to acknowledge the role of business in providing paid employment for people with disabilities, coupled with important social and developmental opportunities. As a government, we are committed to building a business service sector that provides quality employment options for people with disabilities, including the payment of award wages. We are able to achieve this through a consis-
tently strong economy. Not only did we return national jobs growth of more than 230,000 jobs in the past year but our unemployment rate of around six per cent is, in fact, almost one percentage point lower than that of the OECD average.

The recent federal budget, which included $135 million over four years to improve services to assist job seekers with disabilities and $25.4 million to assist business services that provide employment for people with disabilities, also demonstrates this government’s commitment to supporting a business sector that provides employment outcomes for people with disabilities. That is hardly a sector ‘in crisis’ as the member for Canberra pointed out just a while ago.

It is expected that, over the four-year lifetime of the $135 million budget initiative, around 6,000 job seekers annually will have access to improved employment outcomes as a consequence of the move towards case based funding. Case based funding will enable service providers to be paid according to the needs of their clients, the services provided and the outcomes achieved. And what is so wrong with that? The member for Canberra called the sector a ‘puzzle’. There is nothing puzzling about that. It is an effective system because it ensures that job seekers with disabilities are catered for based on their needs. It also results in an average increase in funding for business services of around 15 per cent and for open employment services of nine per cent. These increases are above the block grant funding levels for business services and are worth about $65 million. In effect, this enables the right mix of incentives to help those who need it the most.

I recognise the member for Canberra’s support for positive employment outcomes for people with disabilities through this motion. However, I am really disappointed that the motion advocates a pre-emptive failure of the disability services sector as a consequence of the move away from block funding to case based funding. The commitment in the federal budget of $25.4 million for business services that provide employment for people with disabilities is an investment to ensure that this sector is both vibrant and sustainable. It will include immediate and practical assistance tailored for each service, and expert consultants will work with business services to identify and help find ways to improve their businesses.

In effect, the government has delivered on reforms that provide support for business services, as advocated in this motion. In 1986 the introduction of the Disability Services Act provided for a five-year transition period so that business services could meet their principles and objectives. Since then, the government has outlined and delivered much-needed reform in this area. This has included legislating quality assurance standards in 2002; tailoring an extensively trialled funding model, which reflected the needs of the sector; providing assistance for business viability; and providing growth in the employment assistance places of around 50 per cent through Australians Working Together and welfare reform.

Today, around 17 per cent of disability employment services—of which 13 per cent are business services and 24 per cent operate some business services—have been certified under the new QA system. There is considerable momentum in the business sector to continue the push, with certification required by December 2004—which is hardly unreasonable. Although there are business services and their clients who may not find the transition process easy, consultation with all stakeholders in this sector is being undertaken and the initial reaction has been very positive. The government maintains a commitment to the disability services sector,
which currently provides employment options for around 17,000 Australians with moderate to severe disabilities. We have a strong record in providing the right economic conditions for a supportive business sector conducive to employment growth for all Australians. (Time expired)

Mr BRENDAN O’CONNOR (Burke) (5.34 p.m.)—I rise to support the motion put forward by the member for Canberra because I think it is a critical motion. The member for Canberra has properly highlighted the policy failures of the government in this area. This motion properly seeks to recognise the extraordinary contribution made to this country by people with disabilities. In particular, I rise to acknowledge the critical role that the supported employment sector generally has historically played in assisting people with disabilities to achieve their goals. The member for Canberra highlighted earlier that there has, in fact, been a failure by this government to properly attend to this area. The trial undertaken by the government in case based funding—the so-called model—has certainly not succeeded. Indeed, it has failed, and I think the government really has to turn its mind now to what it will do to properly assist in this area.

A fair society seeks to be inclusive and to ensure that all of its citizens are in a position to contribute in a worthwhile and productive way. A fair society would ensure that people, wherever possible, are gainfully employed and, in particular, that those people with high-level disabilities are included in a way which enriches their lives. As the member for Canberra indicated, when we look at employment in this area we have to acknowledge it is very complex. There are people with varying degrees of disability and therefore there are many people with disabilities who can ensure that the quality of their work and their output is comparable to that of people without disabilities.

The fact is, however, that government has historically played a role in ensuring that people with disabilities are properly and gainfully employed wherever possible, whether or not that leads to a profitable outcome. I think we really need to start looking at this issue with respect to profit. If, indeed, it is accepted that there are profits arising from the work done by people with disabilities, then clearly we also need to start looking much more closely at whether, in fact, many of these employees are being exploited. That is a critical issue which clearly shows that there has to be a varied approach to the way in which the government deals with this area.

I know from first-hand experience that many people with disabilities have been exploited in the past with respect to their work. By that I mean that they have produced outcomes comparable to those produced by people without disabilities, yet they have not received wages and conditions commensurate with their outcomes. Many years ago I was involved in a dispute concerning the Blind Workers Union of Victoria, who picketed St Kilda Road because of the way they were treated. I learnt a lot from that dispute, which was led by people who were visually impaired and who were workers at that particular site. Their argument was that the way they produced their goods was comparable in many respects to the way people without any disability produced goods but, unfortunately for them and their families, their wages were so low as to be insulting to them.

As the member for Canberra said, this government has to start looking at the way it deals with people with high-level disabilities and, possibly, low productivity to ensure that there is a place for them that will enrich their lives and to ensure that they are included in society. At the same time, if there is going to be an argument based on profit, the government needs to ensure that there is recognition
of the skills and responsibilities of those people with disabilities who produce work that is comparable to the work produced by those without disabilities. I think the government has failed to do that. The government has clearly failed to respond to the needs in this area. As a result, there is a lot to be done. This motion is one step forward in ensuring that the government attends to this failure. (Time expired)

Mr TICEHURST (Dobell) (5.39 p.m.)—I rise today to support the Howard government’s ongoing reforms to the disability employment services sector. The member for Canberra’s claim that Australia’s disability employment sector is in crisis is pure nonsense. Under the coalition government, Australia is one of the few OECD countries to both recognise and promote the dual role of business services as a valuable contributor to the Australian economy and as providing a social haven for people with disabilities. This budget injects substantial funds to ensure this dual role is recognised and sustained.

As the federal member for Dobell, I have had the opportunity to meet with many people working in business services and their families, and I have visited the various disability employment facilities available on the Central Coast. One only has to look at the disability employment services available in my electorate to see that there are employment services there that are competitive, are driven by quality assurance measures and are at the same time providing an important support service for employees and their families. I will mention specific examples shortly.

In response to the member for Canberra’s statement that she does not want to see even one person employed in a business service in this country lose their job because of legislative changes, the peak body for disability service providers in Australia, ACROD, commented on the reforms proposed in the Disability Services Amendment (Improved Quality Assurance) Bill 2001 and its likely impact on the provision of services to people with disabilities. This statement reflects the Howard government’s vision for disability employment services—a vision, I might add, that is not based on the desire to reduce Commonwealth responsibility for this sector. The CEO of ACROD stated his belief when he said:

It (the bill) will make a very significant contribution to improving the quality of employment services provided to people with disabilities and will improve the consistency of those services across the country.

He also stated:
It may be that after that three-year period there are some that cannot reach the required standards. The bottom line as far as ACROD is concerned is not the survival of any one organisation but the survival of a service to people with disabilities. Viable services are needed to deliver award based wages and quality services. The Commonwealth government is making a $25 million investment in business services to ensure a vibrant and sustainable sector. Voluntary assessments by expert consultants in business viability will be undertaken shortly, beginning with services identified at greatest risk, so that they have the maximum possible time to implement recommendations.

Fairhaven Business Services on the Central Coast is one example of a business service that is doing it right and providing a valuable service to many people with disabilities in the community. Fairhaven has recently expanded in my electorate of Dobell and is providing employment opportunities for up to 100 intellectually disabled people in the area. This organisation recently built a $1.7 million complex at Tuggerah Business Park, a burgeoning area for local businesses and manufacturers. Fairhaven is now a major supplier to local companies. Clients include international companies such as Krone, Mas-
terfoods Australia, Murdoch Magazines, Wella, Decore and many more. Together with the facility at Point Clare in Robertson, Fairhaven Business Services now covers the entire Central Coast. This has made life a lot easier for people living in this area who previously had to travel further to work. Fairhaven is highly regarded for its quality assurance. According to Fairhaven’s General Manager, Mr Craig Doyle:

We have a better success rate than most able-bodied companies. Certification provides a high level of assurance among our customers, the community and external providers of funding. Certification ensures resources are being effectively utilised, and every task is done right the first time. This ensures positive outcomes for people with disabilities.

Gaining certification may take a while and require hard work, but if the benefits we’re already experiencing are any guide, it’s definitely worth it.

In fact, 17 per cent of disability employment services have already been certified under the new QA system. Within that 17 per cent, almost 13 per cent are business services and a further 24 per cent operate some business services. The momentum is building to get on with quality assurance. This is not the time to turn back the clock. Delaying the legislative time frames will only serve to slow the momentum for change. At worst, we will see a return to an entrenched debate about the value of business services, particularly those that do not pay award based wages. Labor needs to realise that wages are paid from the profits of viable businesses. It is essential that businesses be viable and stand on their own two feet. (Time expired)

Ms JACKSON (Hasluck) (5.44 p.m.)—Like previous speakers, I too am pleased to have the opportunity to speak in support of the motion put forward by the member for Canberra concerning disability services and business services in particular. As all members who have spoken to this motion have identified, for many years the supported employment sector has played a valuable role in providing paid work for people with disabilities. That is why it is of critical importance to ensure that changes introduced to the sector by government do not threaten the very existence of those services.

I recently participated in a forum on the government’s so-called welfare reform agenda, which was sponsored by the Disability Coalition WA and well attended by people with disabilities and by service providers, including employment service providers. Ms Jenny Kitchen, the CEO of Essential Personnel and the current chair of ACROD, presented a keynote address. She gave a balanced overview of the impact on her service of both quality assurance and case based funding. Whilst she had many positive things to say about the introduction of quality assurance, her address was not a ringing endorsement of the changes that had been introduced by the government. Equally, Mr Joe Liparis from the Department of Family and Children’s Services gave an informative presentation on the welfare reform process to date and the current and ongoing rounds of consultation.

I might say there were also presentations from political parties—at least from the Labor Party, the Greens and the Democrats—on their stance on the current welfare reform agenda and process. Both the Liberal Party and the National Party declined the invitation to participate. Frankly, considering some of their policies in this area and the philosophies behind them, I can understand why.

Following the formal presentations at the forum, the audience broke into small groups to consider a number of questions relevant to the reform process. Generally, those people who attended were very concerned about the future of business services, particularly as
case based funding does not meet the needs of people with severe or profound disabilities. Business services were originally set up as sheltered workshops to meet the needs of people with high support needs, who were considered then to be unable to participate in open employment. The issue of profit for those sheltered workshops was not of major concern. Initially, the rights of employees, especially in relation to wages, were not of primary concern to people with disabilities and their families. They did not see sheltered workshops strictly as employers; they saw them more as service providers.

I share the general concern raised at the forum about the reforms having a potentially negative impact on the viability of many business services. Those concerns were echoed by employers, employees and their families, and they were certainly fearful and quite stressed that the reforms will result in the closure of some business services and in the loss of employment for some people with disabilities. It seems that the government also recognise that some services will close as a result of their so-called reforms. The question and answer section on the Department of Family and Children’s Services web site in relation to Australians Working Together included the following:

What happens to consumers of services that fail to meet the Standards?

If a service has not been certified against the Disability Services Standards by the end of the phase-in period, it will not be eligible for funding. Funding continues to be made available to consumers through other eligible services in consultation with consumers and families.

Another indicator from the government which gives reason for concern is the outcome of the trials in relation to case based funding. The department’s own Final Evaluation Report, the October 2002 report of the main findings of its trial on case based funding, reads:

Limited analysis of business service providers suggests that most providers are unlikely to be viable under current CBFT arrangements.

So the member for Dobell, the previous speaker, may have been able to point to one organisation in his electorate which is doing fine, but I wonder if he has visited that organisation and asked the people what it means for them now that they have seen the outcome of the case based funding trial.

The DEPUTY SPEAKER (Mr Hawker)—Order! The time allotted for private members’ business has expired. The debate is interrupted in accordance with standing order 104A. The debate is adjourned and the resumption of the debate will be made an order of the day for the next sitting. The honourable member for Hasluck will have leave to continue speaking when the debate is resumed.

GRIEVANCE DEBATE

Question proposed:

That grievances be noted.

Alice Springs After-Hours General Practice

Mr SNOWDON (Lingiari) (5.49 p.m.)—My purpose this afternoon is to address the House on an issue which is of interest and concern to some elements of the Alice Springs community—that is, the establishment of an after-hours general practice, which is planned to be opened mid-year. The Northern Territory Department of Health and Ageing, local GPs and the Central Australian Division of Primary Health Care to ensure that after-hours services are available. Substantial contributions are being made towards this exercise by both the Northern Territory and the Commonwealth governments. This new facility will be housed in the hospital premises, where the Northern Territory government will refurbish the for-
mer eye clinic hospital and let it rent-free to the new service.

The value of the Territory’s contribution is approximately $140,000 over two years—being $75,000 for a one-off refurbishment, $20,000 in ongoing operational costs each year and $12,000 per annum in rental revenue forgone. The Commonwealth is contributing in excess of $260,000 over two years to establish the new after-hours service and to extend the existing Central Australian Aboriginal Congress service.

The interest that has been aroused in the community about this is not about the fact that the service is being established but about the fee structure which is being proposed. This clinic, it is hoped, will take the weight and the pressure off the public hospital’s emergency department and provide a more appropriate service to many who do not need emergency service. The fee structure for the clinic is proposed to be $70 per visit and $50 for concession card holders. Some argue that this fee may result in a more appropriate service, but it is clear that there will be a large number of people who do not need emergency service. The fee structure for the clinic is proposed to be $70 per visit and $50 for concession card holders. Some argue that this fee may result in a more appropriate service, but it is clear that there will be a large number of people who do not need emergency service. The fee structure for the clinic is proposed to be $70 per visit and $50 for concession card holders. Some argue that this fee may result in a more appropriate service, but it is clear that there will be a large number of people who do not need emergency service.

I was of the understanding that the purpose of the clinic was to divert people away from the public hospital who could otherwise be general practice patients. The difficulty we have here is that a large number of those people who ought to be going to general practices other than the emergency services at the hospital will not be attracted by the proposition of paying a $70 up-front fee or a $50 up-front fee if they are cardholders. I understand that if they are tourists the fee will be around $100. The issue which raises its head here is that the Commonwealth and the Northern Territory governments have invested in an after-hours service that will, in a sense, not deliver any bulk-billing services after hours to the people of Alice Springs. This is clearly an indicator of the failure of the government’s health policy, because at the moment there are no bulk-billing private practices in Central Australia. Central Australian Aboriginal Congress is a bulk-billing practice, but it is not a private practice in the same sense as the other three private practice clinics in Alice Springs.

From the clinic’s point of view it is an understandable position. Why should they charge fees which are less than they would otherwise charge in their private clinics during a working day? Because if they charge $60 or $70 as an up-front fee when people attend the clinic during the day, to provide a service at a lesser cost at an after-hours corporate clinic, where there are a number of practices involved, would in fact mean that they would be diverting patients away from their own commercial enterprise. There may be some truth in this argument. Nevertheless, it raises a very serious question. What we are now being led to believe is that in this new practice there is no attempt by the Commonwealth or the Northern Territory governments to induce these doctors to put their fees down.

Recently there have been discussions about the Trade Practices Act and doctors setting fees in these types of practices. It is clear, as a result of advice, that GPs may agree on patient fees in light of a decision by the ACCC on 19 December to grant an authorisation to the Royal Australian College of General Practitioners. In very simple terms, it seems that the ACCC will allow GPs in partnerships with corporate members to agree on patient fees without risking a breach of the act. I might make this observation: they might agree on a $70 fee or they might agree on a $40 fee, but in the case of Alice Springs we are being told that the fee
which will be set will be equivalent to the highest fee charged in Alice Springs. I would argue that in this type of practice we ought to be insisting that the fees be minimal. I appreciate the point which is made by those people in general practice in Alice Springs about this diverting away from their own practices, but we are talking about a considerable investment of government funds, of taxpayers' funds, for the provision of after-hours service. I think there is a fair expectation on behalf of the community that the fees which are set in this sort of service mirror the support which has been given by the federal government and the Northern Territory government.

It is very important that we do appreciate, however, that this particular service is important because there are very few after-hours services in Alice Springs. Because there is a paucity—in fact, nil—of bulk-billing medical practices in Central Australia, there is no competition for these practices which are charging up-front fees, and the Commonwealth government has brought no pressure upon these practices to bulk-bill. I understand the arguments which are made by some about the issue of bulk-billing. But there are many people in my constituency, many people in Central Australia, who are relatively poor—and for them to front up with $70 will be a big ask. I also appreciate that there are others who, in the normal course of events, are prepared to pay this sort of money and able to pay this sort of money. But the bottom line is—and I refer to the response by the Leader of the Opposition to the government’s budget—that the issue here is really about the way the Medicare system has been eroded by the government over the years since it was elected, since 1996.

This after-hours service allows an uncapped income for doctors. They are guaranteed $50 an hour, whether or not they see a patient, for simply being there, for four hours. Then they will receive 60 per cent of all the takings from the patients. So if the clinic sees two patients per hour for four hours—that is, eight patients at $70 an hour per patient—the doctors’ income will be $140 per hour or $560 for four hours. If the clinic sees three patients per hour then the doctors will earn $185 an hour or $740 per four-hour session. I understand the argument about the market and I understand the argument which has been put to us by the members of the private practices in Alice Springs about the need for them to have parity in their charging. But I make this observation: this is an exercise where the taxpayers are investing considerable resources to provide an after-hours service to the general population of Alice Springs. What we may well see here is a lessening demand on the emergency services at the Alice Springs Hospital, but the people who will no longer go to the Alice Springs Hospital are the very same people who will go to those general practices in the course of their everyday consultations.

I ask the doctors involved in this exercise: why won’t they accept the capping of fees? Will they allow differential fees being charged by different doctors in this practice? For example, if a doctor normally charges $40 up-front, should they be able to, if they are required and asked to, charge $40 up-front—or should they accept the fee which they would now receive by charging $70 up-front? This practice is one which is welcomed by the Alice Springs community. I will be very interested in monitoring its performance over the next few months, just to see what impact it does have on the calls on the emergency services of the Alice Springs Hospital. But I make this point and this observation: this reflects very poorly on the federal government’s health policy. There is a need for us to understand that there is a responsibility on the medical profession to understand that the money which is put in by
taxpayers deserves a return—and the return ought to be a public service which does not demand the highest possible fee that doctors are able to charge in the market in Central Australia.

**Australian Labor Party: Policies**

**Mr Lloyd (Robertson) (5.59 p.m.)**—Tonight I want to take the opportunity to highlight the Labor Party’s disgraceful track record both in government and in opposition not only federally but also in New South Wales. Over the past seven years since they lost government federally, we have witnessed almost unbelievable hypocrisy and arrogance from members opposite. They have been a negative opposition, constantly blocking almost all initiatives proposed by this government and hoping that the Australian community will forget the mess they left this country in when they were last in government. We should all remember Labor’s track record; in fact, we must never forget how bad things were. They racked up $96 billion worth of debt, and it has taken the coalition government seven years of hard work and good financial management to repay $63 billion of the debt.

So what? you might ask. What difference does it make for the average Australian family? It makes a great deal of difference. Paying off $63 billion in debt saves the Commonwealth more than $4,000 million in interest payments every year, money that can be used for hospitals, roads and schools. Remember Labor’s interest rates—housing interest rates at 10½ per cent when they left office in 1996, peaking at an incredible 17.1 per cent in 1990. I remember so many of my friends and acquaintances losing their homes, businesses and even sometimes their families through divorce at that time because of Labor’s mismanagement. We must never forget that.

The hypocrisy from Labor is breathtaking. During the East Timor crisis, when they were clamouring for Australia to take action against Indonesia without UN backing, I well remember the calls for action from members opposite, who all conveniently forgot that for 13 years they had failed East Timor and its people time and time again. It took the Howard government to take the tough decisions to secure UN backing, to lead a force to liberate East Timor and to assist them on their path to becoming a democratic nation. Then when it came to the Iraq crisis, the Labor opposition claimed that nothing could be done without UN backing, conveniently forgetting their previous calls about East Timor. Again, there was no consistency, no courage and no commitment to stand up for what is right.

It never ceases to amaze me that every time the Howard government stands up for the national interests of Australia there are howls of outrage from Labor. Good government is about protecting its people and its country. The entry of illegal immigrants by boat is a classic example. The government took a tough stand, a successful stand, to protect our borders and to stop the influx of illegal entrants into this country. Yet we still hear a continual stream of bleating and crying from the opposition about what a crime it is for the government to be prepared to take tough decisions in Australia’s interests—and they wonder why they are still in opposition! They are a joke in the eyes of most Australians.

Inconsistency and hypocrisy: these are the trademarks of the Labor opposition. After the terrible tragedy in Bali, they screamed long and loud about the government’s travel advisories: were they correct; who knew what; why were they different to those of other countries? They made some outrageous claims that the government could have done more to warn people before the bombings.
Yet only yesterday on the *Sunday* program the shadow foreign minister, Kevin Rudd, made the outrageous and disgraceful claim that the government was manufacturing security issues to promote its own political position. Either you want the government to provide adequate warnings and take appropriate action or you do not. Labor simply cannot make up their mind and the Australian people know it.

If you want to know what Labor federally would be like in government, just remember the 13 years of terrible financial mismanagement and the real pain and misery that were brought on Australian families and then take a look at the state governments’ performances. The Labor state governments are becoming arrogant and deceitful. The premiers of all the states are becoming political commentators. They are refusing to take responsibility for anything. They are responsible for state schools, they are responsible for state hospitals and they are responsible for state roads. But night after night on television we see Premier Bracks, Premier Carr, Premier Beattie and all the other state premiers offering their political commentary on what the federal government should be doing. They are always there to claim the credit, but they are never prepared to take the blame or responsibility for the issues that are their responsibility.

Since its re-election only two months ago, the Carr government has revealed its true Labor colours. In New South Wales, we have a public health system that is in crisis. The people of New South Wales returned the Carr government to power on its promises that it would be tough on crime and fix our schools and hospitals. What have we seen since? In the words of the *Daily Telegraph* editorial of 23 May, ‘A pretty poor effort’. Also in the same paper on the same day, a headline screams across the top of two pages ‘A litany of lies from the Carr government’, with articles that go on to highlight the disgraceful series of lies and cover-ups by this newly elected Labor government.

Firstly, there was the cover-up of the Menangle rail bridge, where it was revealed that New South Wales transport officials ignored warnings about the dangerous condition of the bridge and kept it open until after the 22 March election, placing the rail-travelling public at risk simply for political advantage. This is the Labor Party at work. Then there was the manipulation of the hospital emergency department figures, and many other incidents which time prohibits me detailing at the moment.

Finally, there was the disgraceful situation with the tragic death of Mrs Yakub from meningococcal disease where, one week before the election, we had former health minister Craig Knowles claiming that Mrs Yakub had left the emergency room prior to being called. Yet a Department of Health report shows that Mrs Yakub was never called to see a doctor at Nepean Hospital. According to media reports, Professor Malcolm Fisher, head of intensive care at the Royal North Shore Hospital, confirmed that this report was given to Minister Knowles’s department before Christmas. That is another example of how the Labor Party operates in government.

Only last month, all the state Labor governments rejected the Commonwealth’s latest offer on the new five-year Medicare agreement. This offer was for $42 billion—an increase of $10 billion, representing a real increase of 17 per cent. New South Wales was to receive $14.1 billion over five years, an increase of $3.4 billion—that is, $3,400 million. All the Commonwealth asked the states to do was to commit their share of the funding for their state hospitals in a five-year program which was transparent and available for the community to see. It is an appalling situation that the Commonwealth and the
community have no idea how much money the states have spent on their public hospitals over the past five years. They have refused to disclose this figure—again, more deceit and cover-ups from the Labor Party.

A final example of Labor Party hypocrisy and deceit is a letter which has been circulated in parts of my electorate by the state Labor member for Peats, Marie Andrews, falsely claiming that the government’s Fairer Medicare package will result in loss of access to bulk-billing. In paragraph 3, Miss Andrews claims:

Under the Federal Government’s proposed changes, millions of working families will lose access to bulk billing and be forced to pay extra to see their doctor.

This is completely untrue. The government’s Fairer Medicare package provides an extra $917 million, putting extra money in to strengthen Australia’s universal health care system. As is the case now, doctors will be free to bulk-bill whomever they choose. For the first time we will be strengthening the availability of bulk-billing to pensioners, concession card holders and low-income people, but nobody will be precluded.

There is no means test. As is the case now, doctors will remain in control of their bulk-billing practices. They can choose to provide care at no cost to a patient regardless of whether the patient holds a Commonwealth concession card and regardless of their income. The universality of Medicare will be retained. All Australians will still have access to the Medicare rebate. This will not change, yet Marie Andrews has had the gall to circulate a letter, designed to scare Australian families, with a petition to sign. The last bit of her letter says:

I urge you, your friends and neighbours to sign the enclosed petition. Along with Premier Bob Carr, we can send a message to Canberra that our community can’t afford these changes.

Instead of walking away from their responsibilities to the health care system, Premier Bob Carr and Marie Andrews ought to concentrate on and take responsibility for the things that they were elected to do just two months ago in New South Wales. The state’s hospitals are in crisis. They have rejected that very generous five-year Medicare offer from the Commonwealth to inject a real increase of 17 per cent more into the state hospitals simply because the Commonwealth has asked them to be honest with the Australian community and tell the Australian community how much money they are putting into the state government hospitals.

Graham Richardson once said, famously, ‘Whatever it takes.’ This is the Labor Party’s mantra. The people of New South Wales may have to endure four more years of conceit and arrogance from the Carr Labor government, but federal Labor will not fool them. They know that federal Labor is wrecked by division and crippled by leadership struggles. They know that Labor has no direction and, most importantly, that it lacks the courage needed to lead our great country through the difficult times ahead.

Bendigo Electorate: Freak Storm

Mr GIBBONS (Bendigo) (6.09 p.m.)—I rise in this grievance debate to inform the House of a disaster that struck Bendigo on Sunday, 18 May. Before I continue, I would like to express my appreciation to my good friend and parliamentary colleague Frank Mossfield, the member for Greenway, who kindly gave up his grievance debate allocation today in order that I may inform the House of the horrendous events that have devastated so many Bendigo families.

At 6.00 p.m. on Sunday, 18 May, a freak storm struck the Eaglehawk and California Gully suburbs of Bendigo, leaving 10 homes totally demolished and around 90 others damaged, many quite extensively. Mr Dep-
uty Speaker Hawker, I know that you and honourable members from all sides of this House will be relieved to know that there was no loss of life and no serious injury to any of the residents of the affected areas. This was an amazing outcome given the ferocity of the storm and the damage it inflicted on the buildings in its path—a 500 metre wide and seven kilometre long trail of destruction.

People who live in this area have vividly recalled scenes of caravans, trees, trampolines, sheets of corrugated iron and all manner of debris hurtling around the sky in winds of around 200 kilometres an hour. The media have used the American term ‘tornado’ to describe the disaster. I understand the Australian equivalent of a tornado is a cockeye bob or giant willy-willy but I guess the correct terminology of this tragic event becomes irrelevant, especially for those whose homes exploded around them. I know that people who inhabit the northern regions of Australia often experience this type of disaster, but it is unprecedented in central Victoria. We are more used to other natural disasters such as bushfires, floods, droughts and, dare I say it, coalition governments.

Immediately the storm had passed, the massive clean-up operation began, with Bendigo police officers, staff from the City of Greater Bendigo, State Emergency Service personnel, CFA officers, Telstra officials and hundreds of volunteers all providing assistance and support. All worked throughout the night and well into the next day to restore the area. The City of Greater Bendigo letter-boxed the region to inform residents that an outreach office at the community health centre, close to the affected areas, had been established to provide assistance and counselling for those who required it. I would like to take this opportunity on behalf of all the people of central Victoria to express our sincere appreciation to the many hundreds of people and organisations that responded so quickly to assist and comfort those who were affected by this disaster. All Bendigo residents should be very proud of the way that those who assisted carried out their respective tasks.

I would also like to commend the City of Greater Bendigo and the Salvation Army for initiating an appeal for donations of money and other commodities such as furniture and like items to assist those who were affected. Financial donations can be placed with any branch of the Bendigo Bank or with the Salvation Army. I urge all central Victorians to donate to this appeal if they are able. I acknowledge that the primary responsibility for immediate assistance in these types of disasters rests with state governments. The Victorian state government’s response has been swift and appropriate. Police and Emergency Services Minister Andre Haermeyer was in Bendigo just hours after the event to ensure that aid was getting through. The damage bill will probably be around $5 million dollars, and this would prevent the Commonwealth’s national disaster plan being implemented. However, I cannot think of any reason why the Commonwealth should not make a donation to the Bendigo appeal. Last week I wrote to the Treasurer and to the Minister for Finance and Administration requesting them to consider making such a donation to this very worthy appeal. I urge them again today to assist the people of Eaglehawk and California Gully by donating to the Salvation Army and the City of Greater Bendigo appeal.

As I said earlier, the initial response and subsequent action by all those involved was swift and effective but, as always, there are some aspects that, with the benefit of hindsight, could have been more effective. For example, why did it take some five hours before the city’s major radio broadcasters began issuing reports and alerts regarding the
disaster? I understand the two community radio stations began reports of the incident earlier, but the ABC and the commercial broadcaster were not officially notified for some five hours. A journalist on duty at the ABC in Bendigo received a phone call from a listener and was able to feed information through to ABC National News, which first reported the incident at around 8 p.m., some two hours after the damage had been done. The situation raises some serious concerns. Does the disaster plan adequately cover dissemination of information? Is the current system, which requires the police officer in charge to notify the central police operations media liaison group, too convoluted and cumbersome? As I understand it, once this has been done, the media liaison group contacts the head offices of the broadcasting stations and then has to wait to have the matter verified by other contacts, which could take some considerable time. If the local stations were able to be contacted shortly after the event, do they have the capability of interrupting the syndicated programming to begin local broadcasting of the incident and to advise the community accordingly? Is the syndicated programming being received at the local station via cable, which would make such an interruption relatively easy, or is it being received via satellite, which would make it almost impossible to interrupt, especially if there is no-one on duty at the station where the syndicated programming is being transmitted?

I would like to quote from the report of the former House of Representatives Standing Committee on Communications, Transport and the Arts, which conducted an inquiry into the adequacy of regional radio services. The report came down in September 2001. On page 111, it says:

4.5 The ABC claimed to play a critical role in disseminating essential State Emergency Services information and in providing companionship to people in times of need.

4.6 FARB claimed that the broadcasting of emergency announcements is accepted within the industry as an ‘essential element in community relations and in providing a comprehensive service to listeners.’

4.7 DMG Group explained how its stations retain the ability to respond on an immediate basis to emergency situations ‘through the establishment of telephone hotlines and formal communications strategies with emergency services organisations, and through the ability of the hubs to produce and insert immediate disaster or emergency alerts into the programs broadcast from the hubs and, in extreme or urgent cases, through the ability of the local managers to disconnect hub programming at any stage and replace it with live broadcasting from the local studio’.

I have to say that this did not happen for some five hours after the incident. This certainly warrants an examination by those responsible for drafting and implementing the disaster plan, and it would warrant a wider inquiry into the ability of all radio broadcasters to transmit vital information to the community in the aftermath of disasters such as the one experienced by the community in Bendigo.

The incident in Bendigo on that particular Sunday has raised some very serious concerns about the ability of vital information to be broadcast to communities under threat. Imagine if a small town were threatened by a major flood or bushfire—as they often are—and telephone communications and power were destroyed. A battery-operated radio is often the only means of gaining vital and life-saving information, and, if the broadcasters are transmitting syndicated programming from other states and take up to five hours to begin broadcasting alerts, the risk of a tragic situation is greatly enhanced. The situation is far worse for those who live in isolated farmhouses in the path of such danger.
I want to make it perfectly clear that I am not levelling blame at any individual or organisation. As I have said, the initial response to the incident in Bendigo was first class. I make these observations in an attempt to ensure that the next time our region—including any region in Australia—is faced with such a disaster we can maximise the chances of dealing with it in the most effective way and avoid injuries or, worse, loss of life.

**Health: National HIV-AIDS Strategy**

Dr SOUTHCOTT (Boothby) (6.18 p.m.)—I rise to speak in this grievance debate of a national health campaign that has been fairly successful but, in its success, I fear that there is now a sense of complacency emerging within our community about the risk to the health of many Australians. I speak of the issue of HIV-AIDS and also the National HIV-AIDS Strategy, which I think has been one of the most successful public health initiatives in Australia in recent times. I did not agree with a lot of the actions of former Minister for Health Dr Blewett, but the National HIV-AIDS Strategy, which was bipartisan, has been a very successful public health initiative which was also seen around the world as a very coordinated and strong response to the issue of HIV-AIDS.

Looking at AIDS in Australia at the moment, we see that the number of full-blown AIDS diagnoses each year has fallen from about 950 in 1984 to 178 in 2001, while the number of HIV diagnoses has remained the same—at about 700 per year for the last five years. The introduction of the newer generation of antiretroviral drugs has led to a substantial fall in AIDS diagnoses and an increase in survival rates. In 1994 the survival rate for people with AIDS was 19½ months. For people who were diagnosed with HIV in 1997, survival had increased to 46.6 months. By the end of 2001 there were 18,854 Australians with HIV and 12,730 of these with HIV-AIDS.

However, despite the success of this strategy, new cases are still occurring. In the year 2000 there were 655 additional cases of HIV diagnosed, and in 2001, 697. In the year 2000 we saw a dramatic increase in the number of new diagnoses in Victoria, and transmission still remains predominantly—about 78 per cent—through homosexual contact between men. However, over 10 per cent of new cases were through heterosexual contact, another 4.5 per cent were intravenous drug users and another four per cent had both homosexual contact and IV drug use. Comparing Indigenous and non-Indigenous Australians, the rate of infection is similar but, significantly, while infection rates have been falling in the general population, they have remained steady in the Indigenous population. HIV diagnosis remains highest in New South Wales. Figures for the last five years show that New South Wales recorded 6.1 new cases per 100,000 people, with Victoria, the Northern Territory and Queensland about half that and the ACT, Western Australia and South Australia about a third of the New South Wales rate.

As I said, the National HIV-AIDS Strategy was a bipartisan strategy. It was first released in 1989. Its two main goals were to eliminate the transmission of HIV and to minimise the personal and social effects of HIV infection. It aimed to do this through proven population interventions targeted to priority areas and at-risk groups. It has been the result of coordination between federal and state governments, researchers, educators and the community. The strategy has been promoted through development of and access to new treatments; providing at-risk groups with prevention information, means of prevention and health promotion programs; making sure that the skills of health care workers are up to scratch in dealing
with people with HIV-AIDS; increasing the awareness of HIV-AIDS amongst the general population; the development of sound research; and also appropriate health care for those with HIV-AIDS.

The challenges now are to ensure that we continue to have a national coordinated response to HIV-AIDS and also to maintain the safe sex culture amongst homosexual men. There are certainly indications that there is a degree of complacency there. We also need to improve the sexual health of Indigenous Australians, as well as their more general health, and we need to ensure that those who do have AIDS are able to receive appropriate care and a continuum of care.

For the last five years in education, there has been a move away from general education to focusing specifically on target groups: groups which are seen as being high at-risk groups. While much has been done to reduce the incidence of HIV-AIDS in Australia, we now face a new risk, which is complacency. A report by the National Centre in HIV Social Research has highlighted this risk. It states that there is a whole generation of younger gay, homosexually active men who were not part of, or directly affected by, the HIV-AIDS crisis of the 1980s and early 1990s. Another risk is what is known as treatment optimism. The increase in knowledge about the newer generation of antiretroviral drugs is also leading to dangerous practices in these groups. This is creating new challenges for HIV educators. The challenge is to make education more effective in the face of increasing evidence of unsafe sex among the high-risk groups. Broadly, in Australia we can say that the rates when we compare Australia with most other countries of the region are remarkably low. The rates in Australia are also very low compared with most other developed countries. But internationally we see that there are 42 million people with HIV-AIDS; 95 per cent of the infections in the world are occurring in developing countries and 7.2 million in the Asia-Pacific region. Last year alone there were five million new infections. I am indebted to the AusAID web site for some of these figures.

There is an issue with antiretroviral drugs, which has come to prominence in recent years. The issue, more broadly, is that if you have these drugs, which increase life expectancy, perhaps reduce transmission and so on, why not use them? The cost is coming down. The government’s response has been quite sensible, which is to say that the government is happy to help developing countries gain access to these drugs as long as they ensure appropriate intellectual property rights. They could be quite useful in areas such as preventing transmission from a mother to a baby and infection after exposure, and also in establishing protocols for antiretroviral therapies and treatment of opportunistic infections. The problem is that in some countries there is not the infrastructure to make sure that these drugs are widely available and used appropriately without resistance occurring. However, in middle-income countries such as Brazil and Thailand, the new antiretroviral drugs have been used quite effectively.

Internationally, we often get criticised by ACFOA and other groups about how much of our economy we contribute to overseas aid but our overseas aid in the area of health is directed appropriately very much towards primary health care. We have a focus on the Asia-Pacific region and the countries of southern and eastern Africa. Australia supports the work of UNAIDS. In November 2000, I was lucky enough to visit India and see the work of UNAIDS in New Delhi and Chennai. HIV-AIDS in India is a major public health issue. In contrast to the experience we have had in Australia, the epidemic has spread rapidly and unpredictably. In a similar
way to Thailand, HIV-AIDS has spread from high-risk groups such as sex workers and IV drug users to their clients or partners and then to the general population. In 2000, there were more than 3½ million people infected with HIV in India. The number is now estimated to be over four million. HIV was once concentrated in certain provinces but has now spread much more widely across India. In a similar way to Africa, the spread has been facilitated by long-distance truck drivers.

It was clear, on visiting India three years ago, that the country was losing the battle against the spread of the virus. In 2000, India spent just $60 million to contain HIV-AIDS—in a country of over one billion people. At that time, we also visited Chennai, where Dr Suniti Solomon diagnosed the first case in India. Chennai has one of the few tertiary care centres in India. It was built with the assistance of the Australian Community Assistance Scheme administered by the Australian High Commissioner in India.

Two years ago, I was fortunate to visit the Indonesian HIV-AIDS and STD prevention and care project, which was funded by the Indonesian government and AusAID. The project’s focus was to support research on the incidence of HIV-AIDS and STDs in selected regions such as Bali, West Timor and South Sulawesi, and also to educate, support and care for those most at risk. I want to commend the architects of the National HIV-AIDS Strategy and also the work of AusAID in relation to HIV-AIDS. (Time expired)

**Information Technology: Internet Service Providers**

**Mr SIDEBOTTOM (Braddon) (6.28 p.m.)—**I wish to highlight a serious and unchecked problem within my electorate and, I know, nationwide. It is an embarrassing issue for many families but potentially financially crippling. I speak of the muck industry; that is, the scourge of Internet dumping or the Internet dialler scam. Just how seriously should this parliament take the matter? Maybe the following story will illustrate the nature of this insidious practice. In January of this year I received a phone call from a distraught family after they had received a phone bill for $5,000. This phone bill was accrued in under two weeks due to software downloaded onto their computer, which caused their computer to hang up from their Internet service provider and dial a premium rate service that then incurred a cost of $4.95 a minute. The disconnection from their normal ISP and reconnection to a premium rate connection was carried out surreptitiously, so this family was totally unaware of the cost they were accruing.

To add salt to the wound of this horrendous $5,000 bill, the premium rate connection site was an adult pornography site. This meant that the family’s teenage son, who is under 18, had access to explicit adult pornography, but in this case the teenager did not actually use this service. No matter, though; the damage is done and the bill just gets bigger and bigger. The only time the unsuspecting family find out about the unknown involuntary switch from their normal ISP to the premium connection is when they are advised, out of the blue, of an unusually large phone bill and their phone is cut off.

To assist this shocked family, my office contacted the self-regulatory body for premium rate calls, the Telephone Information Services Standards Council, or TISSC. They explained that I needed to obtain a copy of the dialler from the family’s computer and establish what breaches of the code of practice may have taken place. Thanks to help from Mr Gerry Van Eyck, the owner of local computer company Tiger Computers in Devonport, my electorate officer Shane May managed to determine that the dialler on the family’s computer was indeed in breach of
several sections of the TISSC code of practice.

Upon learning of this Internet dumping problem, I initiated a public awareness campaign to warn others within my electorate of the dangers of Internet dumping. Utilising the local newspaper, television, ABC Radio and my own newsletter, I managed to alert my electorate. This resulted in dozens of families with excessive telephone bills ranging from $200 to $5,000 contacting my office. This has highlighted the growing problem of Internet dumping and the disgraceful tactics Australian companies are using to maximise profits. Two Australian companies in particular are responsible for these excessive bills—Sound Advertising Pty Ltd and Mediatel. A cursory glance on the TISSC web site dealing with 1900 complaints will not only edify members on this matter but reinforce what I am saying here. When unsuspecting families are surfing the Internet, they come across advertising screens that offer free Internet pornography. The real problem lies in the inability of consumers to exit easily from these advertising screens. The screens are designed to trap consumers into saying ‘I accept’ to viewing Internet pornography at premium rate sites.

Recently, with Department of the Parliamentary Reporting Staff approval, I experimented with one of these advertisements and I saw for myself that, for the average user, it is virtually impossible to say no to agreeing to download the dialler that would dump the user from the Internet and reconnect him or her to a premium rate 1900 number site. For many screens, the only choice is to click on the ‘I accept’ button. If you try to escape or go back without clicking on the ‘I accept’ button, a new screen comes up telling you that you have made a mistake and that you have to click on the ‘I accept’ button. I did finally exit without downloading the program, but it took seven concerted attempts to do so. Clearly others, including children, are not so lucky or persistent.

The government has publicly trumpeted that it wants to deal with the problem of unwanted pornography and sexually explicit material being inappropriately sent to children in family homes over phone lines and the Internet. It has introduced laws on telephone sex lines and Internet content. But the government also needs to deal with the dual problem of Internet dumping and premium rate connection services which hit families hard on two fronts—that is, firstly, children viewing explicit adult pornography on the family computer; and, secondly, excessively high phone bills that have the potential to cripple struggling families. The government is currently allowing the Internet dumping industry to flourish. According to the Telecommunications Industry Ombudsman’s report for the December 2002 quarter, complaints about Internet diallers are ‘going through the roof and Internet dumping is now the largest single category of billing complaints’.

I would like to explain in more detail the problems associated with this dual practice. As I mentioned previously, the first serious issue is the totally inappropriate methods of advertising by the companies involved. Currently, they have free reign on the methods they choose to advertise, and the companies prey on computer-illiterate individuals who are unsure of how to say no to downloading a dialler to the family computer.

The second serious issue is the so-called contractual agreement between the consumer and the premium rate service. I ask: how can a contract be binding between a premium rate service provider and a person who does not have permission from the phone account holder to use the telephone line to accrue a bill of $4.95 per minute? It is a concern to me that anyone in a household can agree to a
premium rate connection contract but the person who has the telephone in their name cops the bill. I also have grave concerns on the unchecked ability for a child or adolescent to click on a ‘yes’ button which is then deemed as a contract between the consumer and a premium rate service provider. How can a contract be binding when an agreement to view explicit adult pornography is arranged between a minor and an adult pornography company?

On the issue of children having access to explicit adult pornographic material, the government and others lay the blame squarely on the shoulders of parents. They claim that a warning page states that the user has to be over 18 years of age to use this service. What a load of baloney! It is actually a sneaky, positive marketing tool used by the companies to encourage children to use the site for differing reasons. Children seek to determine whether in fact they need to be over 18 to use the service—that is, they try it to test the claim. Still more would view the statement as a challenge to be overcome, and others are naturally inquisitive and like to see what services are available to adults over 18.

The adult 1900 pornography age controls are like placing an alcohol and cigarette dispensing machine within the family home. Again, the providers and the government attempt to place the blame on parents by saying that they are not supervising their children. Indeed, parents should be aware of what their children are doing on the Internet and on their computers, but it is totally unrealistic to expect parents to be able to deal with this problem. The bottom line is that children should not have access to adult pornographic material. Like alcohol and tobacco sales, there are laws that can apply to Internet dumping. These include the Federal Crimes Act, state and territory film classification enforcement laws and the Trade Practices Act. The government has not enforced any of these laws and, as such, more specific regulations are needed to ensure a person is over 18 years of age when using these services. We cannot rely on self-regulation from children.

I know that since the middle of the year 2000 the government has been aware of the Internet dialler scam supplying explicit pornography to children and then, in turn, seeking payment from parents. However, it was not until May 2002 that the minister directed the Australian Communications Authority to investigate the issue. It is now May 2003 and we still do not have any answers to these problems. I am asking the government to implement changes to the act to ensure that proof of age is required to these premium rate companies prior to a PIN number being issued. Once this PIN number is issued, it ensures the user is over 18 and definitely wants to use the premium rate service.

I am also calling on Telstra to stop providing this premium rate adult pornography service. I believe that in its current form the premium rate adult pornography service is creating more headaches than it is worth to Telstra. Telstra have a community responsibility and as such I am sure they see a need to halt this service to stop the huge bills being run up by struggling families for a service they do not even want. If Telstra feel they can take no responsibility towards families being hit with these massive bills and children viewing pornographic material, they should think again. It is like children going to the movies. Are you telling me that the cinema operators take no responsibility for a child seeing an X-rated movie? It is absolute rubbish. I call on Telstra to halt this service immediately and get out of what I call the muck industry. (Time expired)
Environment: Murray River Irrigation System

Mr SECKER (Barker) (6.38 p.m.)—It is always a pleasure to follow the member for Braddon. I rise today to speak on quite different issues. I speak yet again on two issues which are very important to the irrigators and farmers in my electorate of Barker and which, in spite of many meetings and grievances relating to this subject, still remain unresolved. However, the problem lies not with the federal government but rather with the South Australian Labor government, who refuse to acknowledge the impact of their proposals on irrigators in the lower Murray and on farmers in the upper south-east.

As the coalition and other people who understand the operations of rural Australia are aware, sustainable irrigation and land use is of the utmost importance to regional South Australia. Yet, the state Labor government continue to cost shift and ignore the problem in the hope that it might go away. I tell the Premier, Mike Rann, and the environment minister, John Hill, that it will not go away. The problem will not go away until the landholders gain the proper support from the government to address the root causes of the problem and assist in providing solutions to that problem.

Unlike their state counterpart, this federal coalition government have certainly recognised the importance of the irrigation problems being faced by the lower Murray irrigators in South Australia and the drainage problems being faced by the upper south-east and have already contributed considerable amounts of money. We have been instrumental in providing assistance to farmers in the upper south-east to address the salinity problems faced by irrigators through funding to build drains and undertake other management issues to work towards sustainable grazing practices. Part of this funding also went towards rehabilitating the land and putting in place management practices which will provide long-term viability for continued grazing.

Unfortunately, for the upper south-east farmers, there is still more work which needs to be done. Despite the federal government offering further assistance, the South Australian government are preventing the process from getting under way as they are taking their time to approve the program and are trying to insist on a completely unsustainable program in the upper south-east at a cost that the farmers cannot possibly afford. In the case of the lower Murray irrigators, the problem is even more dire as they wait for the state government to finish procrastinating over how to provide as little financial assistance as possible before work can even commence to resolve the situation.

With regard to the lower Murray irrigation farmers, under the previous state Liberal government, there was a program set up with about $32 million in funding—$16 million from the federal government and $16 million from the state government under the national action plan—and $8 million from the farmers. That is about a 40-40-20 split, which has been the accepted split for farming practices throughout South Australia and, I would suggest, throughout Australia. This government has basically cut its funding by $10 million but is expecting the farmers to increase their funding from $8 million to $18 million. They simply cannot afford it. The irrigators in my electorate just cannot win. Thanks to an eccentric MP who delivered rural irrigators in both our electorates a state government who believe, as I have previously said in this place, that rural South Australia begins at the outskirts of the CBD and stops at the Adelaide Hills, these irrigators are now having to fight for funding to assist them to fix a serious issue which has huge
implications for not only the environment but also their livelihood.

The South Australian Labor government have illustrated this indifference for regional South Australia on many occasions since their formation of government by default. We watched as the Premier, Mike Rann, used the drought to play political games and as he waited for as long as possible to apply for exceptional circumstances assistance to be allocated to some of the worst drought-affected areas of the country, for the purpose of, one can only assume, saving the state government money. Unfortunately, these farmers must wait until these urban based politicians, who simply have no understanding of, no concern for and no respect for this rural based industry, somehow realise that this is a serious issue which needs to be addressed. It is no wonder that they do not understand this because there is only one member of the Labor Party in South Australia outside the city of Adelaide.

I am worried. I have said all this before. I have been involved in lobbying for action and yet, despite our continual and best efforts, we cannot convince the state government of the seriousness of this issue. The amazing thing is that the state government are simply thumbing their noses at an industry—in this particular case, the lower Murray dairy industry, which is not only a huge employer in regional South Australia but also a major contributor to the state’s economy. However, I am pleased to say that this is not so with my federal colleagues. I have held meetings with the federal ministers to ensure that federal assistance continues, and I am pleased to say that my federal colleagues not only remain sympathetic to the plight of these farmers and irrigators but also maintain that whatever can be done at a federal level will continue to be done. Unfortunately, for irrigators in the lower Murray, their plight is worse than that of their south-east equivalents as no corrective work has even begun.

Prior to the last election, the state Liberal government had determined that approximately $40 million would be needed to restructure the irrigation industry and, as I explained, the state government have reduced this quite considerably, down to something like $22 million. As a result, we will not have a scheme that will virtually eliminate run-off of cow manure and fertiliser into the Murray River—a scheme which would have improved the environment of the river and was to be undertaken as a result of this $40 million restructure that the then Liberal state government planned to undertake.

Reducing this run-off is essential to maintaining both the environment and the dairy industry in this region. Despite this, the state Labor government decided to jeopardise the prospects of one of the state’s most important industries and cut the allocation of funds to this project and offer only $30 million for the rehabilitation of the region. However, as I have lamented previously in this place, following the initial $10 million funding cut to the program, a further $12 million cut has subsequently been announced, with the state government now only prepared to offer irrigators a measly $18 million to rectify the situation. This is just ludicrous. The state government are prepared to commit only $18 million to rectify the problems faced by an industry that is worth approximately $100 million annually and employs nearly 2,000 rural South Australians. If you do the math, it just does not add up.

What this also means is that effectively farmers are going to have to pay more than half the projected cost of the rehabilitation scheme, which approximates to $8,000 per hectare of work required. It is important to note that the irrigators in the region accept that they have to find a more sustainable way
of irrigating their farms. They openly agree that they must meet new water use efficiency and environmental targets, and they are willing to implement changes to make irrigation sustainable. Let us face it, if they cannot irrigate at all, their businesses will sink anyway. The unfortunate thing is that they cannot do it on their own, and one of the major parties who can assist them do not appear willing to listen.

Expecting farmers in a drought affected area to come up with $8,000 per hectare to fix the irrigation problems currently faced is simply not realistic. Already their farm income has become seriously depleted through paying higher feed costs as a result of the drought or purchasing equipment to help them get through the drought. These people do not have a spare $8,000 per hectare to throw about. The state government is putting unrealistic pressure on farmers and in doing so is placing a $100 million industry, which supports around 2,000 South Australian rural families, in serious jeopardy. Most farmers in the region will simply not be able to manage it. Many will leave the industry, resulting in much unemployment and a larger hole in the state’s economy.

The state government is playing a dangerous game with the livelihood of many South Australians, which will result in the further degradation of the environment. I am astounded that the state government would not be more forthcoming to support such a valuable industry, particularly when it has the capacity to have such a vast impact on the state’s economy. This is exactly why it is such a concern to regional Australia when an urban based Labor government with no regard for the importance of the contribution that can be made by regional Australia takes the reins. (Time expired)

Veterans: National Service Medal

Mr SCIACCA (Bowman) (6.48 p.m.)—I rise to speak on a matter that, as a former Minister for Veterans’ Affairs and as the member for the Queensland seat of Bowman, an electorate with one of the highest veterans’ populations in Queensland, is very dear to my heart: that is, of course, the services and assistance provided to our ex-service men and women.

As a nation we owe a tremendous debt to the men and women who have served in many and varied ways to defend our nation and uphold the values of democracy and freedom that are so central to our way of life. There are few countries in the world that look after their veterans as well as we do in Australia, but of late there has been growing concern in the veterans community that this government’s commitment to veterans is slipping, particularly in the provision of important support services.

It was welcome news in April 2001 when the Howard government first announced that it would institute a medal to commemorate the 50th anniversary of national service in Australia. It was an honour that the nashos fought many years to secure. Sadly, it seems that everything involved in giving effect to that decision has been less than satisfactory. Since October last year, the delay in getting medals out to former national servicemen has been blamed on the relocation of the relevant office from Melbourne to Canberra. But more than six months on this is an excuse that is beginning to wear very thin. Every week, my office is contacted by former national servicemen and their families who have lodged applications for their medals, some as long ago as Anzac Day 2002, but are yet to receive anything from the medals processing unit—not even a letter to acknowledge that their applications have been received.
Of course, this inefficiency means that many nashos, having received no news for over 12 months and having been greeted by nothing but an answering machine when they call the 1800 number set out on the application form, have been filling out fresh applications and sending second copies off to the medals processing unit. If affairs to date are anything to go by, this will unfortunately lead to further delays, as the few officers assigned to this task sift through the forms received in duplicate and in triplicate. I must say that the National Servicemen’s Association of Australia contacted me in Queensland some time ago to tell me that they were very concerned about the processing unit being moved from Melbourne to Canberra. They anticipated that these problems would occur, and in fact they are occurring just as they said they would.

My office has been assured that those nashos whose applications have been received will be sent a letter—but not until July or August this year. That is pretty gloomy news to have to pass on to someone who has already been waiting 12 months and faces the prospect that come September they will discover their application was never received or has been mislaid during the relocation to Canberra and consequently they will have to fill out another application that will be placed at the bottom of the pile for processing. After campaigning for this for so long, it has proven to be a disappointing and drawn out process for many national servicemen. This frustrating process flies in the face of the notion that the medal is being awarded by a grateful nation, when even the common courtesy of a letter acknowledging receipt takes 12 months to filter through the system.

The government knew that there were in excess of 300,000 former national servicemen eligible for this award. They have no excuse for failing to implement appropriate systems and allocate staff numbers sufficient to process applications within a reasonable period of time. Because it is a recent award, the delays in the medal processing unit are felt more sharply by national servicemen, but a similar situation confronts the many ex-service men and women—and the families of veterans who have passed away—who make application for the issue or replacement of the service medals they have earned. I am sure, Mr Deputy Speaker Price, that you have advised veterans or their families to apply for medals. Nowadays Anzac Day is terrific. It has become an enormous day, and people like to have their medals. The families like to have the medals. The kids like to have the medals.

Commemoration and education is an important function of the Veterans’ Affairs portfolio. With programs like Their Service Our Heritage under the previous minister and Saluting Their Service under Minister Vale, this government has a strong focus on commemoration, but it is time that the pomp and circumstance were supported by an investment to build an efficient and effective unit to process applications for medals and awards.

The recent budget was very much an exercise of this government giving with one hand and taking away with the other. It is something that my constituent Mr Roger Devey of Wynnum is all too familiar with in his dealings with Veterans’ Affairs. Mr Devey is one of many veterans who have contacted me to report a cut to the home care services provided by the Department of Veterans’ Affairs to assist with house and garden maintenance and personal care. These cuts are not only disappointing but also the cause of considerable upheaval and distress for veterans who have come to rely on this assistance.

Mr Devey is 82 years old and has a number of health problems. When he was originally contacted and had his needs assessed
by the Veterans’ Home Care scheme, he was allocated two hours of home assistance a week. This was an enormous help to my constituent, but it still did not completely address his needs. You can imagine his shock and disappointment when he received a phone call from the Department of Veterans’ Affairs in March this year to advise that his entitlement had been cut from four hours to just 1½ hours each fortnight.

When our local newspaper, the *Wynnum Herald*, ran a story highlighting Mr Devey’s plight, my constituent was contacted by many other veterans and their families from across Brisbane who were struggling to adapt to similar cuts. One gentleman who contacted Mr Devey made the telling comment that the Department of Veterans’ Affairs had, over many years, earned a reputation as a very caring department, but it is a reputation that has become increasingly shaky as a result of these and other cuts.

I do not for one moment blame the Department of Veterans’ Affairs. During my tenure as their minister between 1994 and 1996, I must say that I found them to be thoroughly professional. They do what the policy of the government of the day tells them to do. I found them to be fantastic; in fact, I would go as far as saying that they are still fantastic. But they can only do what the government of the day tells them to do with the money that is made available to them. I do not in any shape or form want the department to think that their former minister is getting into them, because I am not, but it is absolutely extraordinary that they would say that someone could manage with 1½ hours a fortnight. That is just extraordinary.

Another constituent, Mrs Lillian Scully of Thornlands, suffers from osteoarthritis that is so debilitating that she is unable to turn the page of a newspaper without assistance. She depends on Veterans’ Home Care workers to clean the small unit she lives in, hang up her washing and change the bed linen—essential tasks that she simply cannot complete alone. And yet she, too, has had her home care cut back from two hours each week to just 1½ hours a fortnight. Mrs Scully is a war widow. Her late husband was one of the Rats of Tobruk. She deserves our respect and our support. She certainly does not deserve to be told that the highest taxing government in our history cannot afford to provide her with the meagre assistance she needs to get her laundry done every week.

The Veterans’ Home Care scheme was introduced to assist older or infirm veterans, war widows and widowers to remain in their homes for as long as possible, but having offered the service the government has been overwhelmed by demand. Sadly, this seems to be another instance where the government’s best laid plans for Australian veterans have gone awry due to a lack of forward planning and a failure to commit adequate funds to programs such as Veterans’ Home Care. There has been no significant move to rectify this situation in this year’s budget as far as I can see.

In 2002, the Treasurer’s budget speech focused a great deal on the challenges presented to government by Australia’s ageing population. Currently it is a trend to which the Veterans’ Affairs portfolio is particularly sensitive, especially with respect to ensuring appropriate access to health care and other essential services, like home care.

In my electorate of Bowman, the average age of a gold card holder is 75½ years, while the average age of veterans in receipt of a service pension is 76 years. We know that our veterans from World War II are now in their mid-70s and are getting on to their 80s. Veterans from Korea, the Malayan Emergency, Vietnam and other conflicts that we have been involved in are now in their 60s
and 70s as well. Frankly, I think we need to do more than just pay them lip-service and go ‘Hooray, hooray!’ when they return, having done a great job, as they did in Iraq—and there is no question about that at all; they did a magnificent job in Iraq. I think we have to do a little bit more than just be there, welcome them home, tell them how much we feel for them and thank them. We have to make sure that when they get sick and when they get old we look after them. We want to be able to keep our reputation as being one of the only countries in the world that looks after them.

I urge the government to be vigilant in the planning and provision of services to veterans, to make sure that the difficulties our ex-service community has endured due to these recent problems with the medals processing unit and home care are speedily rectified and that our veterans receive the care and the respect that they deserve. The Minister for Veterans’ Affairs, Danna Vale, is a very nice lady and a good person. I think she does the best she possibly can. I have no problems with her; in fact, I respect her a great deal. But I call on the government to give her a little bit of money so she can do her job properly.

**Paterson Electorate: Raymond Terrace Courthouse**

Mr BALDWIN (Paterson) (6.58 p.m.)—I rise today in this grievance debate to raise the matter of the impending closure of the Raymond Terrace Courthouse in my electorate. This courthouse provides a vital service to the Port Stephens community. The news that it will close from 20 June has sent shockwaves throughout the area. The reason this courthouse is closing is very clear: the New South Wales government has failed to upgrade custodial cells at an estimated cost of around $300,000 at Raymond Terrace Police Station. In fact, the cells were decommissioned four years ago, but they were still being used by the police until recently.

Prison officers have refused to perform duties at Raymond Terrace due to the condition of the cells, and the New South Wales Chief Magistrate has ruled that Friday, 20 June will be the last date for sittings of the local court. It is a scandalous situation and one that will have an enormous impact on the surrounding communities. This courthouse services not only Raymond Terrace but also other communities in Port Stephens, such as Karuah, Medowie, Nelson Bay, Lemon Tree Passage and Tea Gardens. It averages around 600 cases per month and, on top of that, around 40 AVOs each Tuesday.

It was reported in the *Newcastle Herald* that, as at April, there were 598 criminal matters pending at Raymond Terrace local court. That does not include civil claims or family court matters. And where will these cases go? They will go to Newcastle. Residents in Port Stephens will have to take their cases to Newcastle from 20 June, all because the New South Wales government have failed to upgrade these cells and failed to keep their election promise of upgrading the Raymond Terrace police station.

The impact the closure will have in the local area has sparked concerns from many people—not only from residents who attend the court but also from the local business community. Firstly, it will have a detrimental affect on policing in the area. After 20 June, police officers in Raymond Terrace will have to travel to and from Newcastle. Police officers, who would be better off spending time in the local area addressing local issues, will become a taxi service for the court. They will have less time to focus on local issues, such as crime, and they will be spending a great deal of time on the road outside of Port Stephens. This will divert police services away from the local area, where they are
needed, and it will cause a reduction in local manning levels.

Secondly, businesses are concerned about the impact on our local economy. People who attend court in Raymond Terrace generally use services in the town on the same day. Local solicitors will be forced to go to Newcastle and spend time outside of Port Stephens waiting for their case to come up and then travel back to Raymond Terrace to their offices. So it will mean extra costs for people to attend court elsewhere and also for businesses. All in all, it sounds like a great deal of time will be spent by residents, police and the legal industry travelling to and fro to attend court in Newcastle. What a complete and utter waste of time.

If the New South Wales government kept their promise to upgrade the Raymond Terrace police station, we would not even need to discuss these issues. But, due to the fact that they have failed to properly address the problems associated with the prison cells, the Port Stephens community will see the loss of the Raymond Terrace Courthouse and that, in turn, will have a domino affect in the local community through the impact on businesses.

I also want to point out that the New South Wales government made a commitment to build a new Raymond Terrace police station at the last election. In the 1996-97 New South Wales budget approximately $2.6 million was allocated for a major new works program to be completed by 1999. A sum of $101,000 was allocated for planning the new station. But those plans seem to have been dumped by the New South Wales government. The money has amazingly vanished, and there has been no explanation as to where and why this money has gone. It is a real kick in the teeth for the people in Port Stephens who believed that Raymond Terrace police station would be upgraded.

And it is not only Raymond Terrace that has been deceived; it is also the Tilligerry Peninsula. In the election campaign, the member for Port Stephens put out material saying the ALP would build new stations in Raymond Terrace and the Tilligerry Peninsula. An ad in the Port Stephens Examiner on 6 March 2003 highlighted projects which the member for Port Stephens claims have been achieved or will be achieved by his government. One of the points said that there were plans to build a new police station at Raymond Terrace and at Tilligerry Peninsula. It was clear, in black and white, to anyone who saw this ad that the member for Port Stephens had put a commitment on the table to build a police station at Raymond Terrace and at the Tilligerry Peninsula. Another ad in the Port Stephens Examiner, this time dated 20 March 2003, read ‘in the next 4 years, I will achieve the following’ and went on to say ‘a new police station for the Tilligerry Peninsula’.

We have here a clear election commitment, and that commitment was that the New South Wales state government planned to build a police station at Raymond Terrace and a police station in Tilligerry. But those plans have now been thrown out the window. The New South Wales government will not be building a police station at Raymond Terrace and it will not be building a police station in Tilligerry. Instead, the New South Wales government is calling on the local Port Stephens Council to build the police stations. So, in the end, the ratepayers of Port Stephens may find themselves footing the bill for the construction of these stations. In one swift move, the New South Wales government has handed over the responsibility for constructing these stations to a local council, even though it has responsibility for policing and even though the member for Port Stephens made an election commitment to build these stations.
But why should Port Stephens ratepayers pay for these stations? Did the ratepayers in Port Stephens have to pay $6.5 million for the upgrade of the Mayfield-Warabrook police station? The member for Port Stephens has this project ticked in his 6 March ad in the Port Stephens Examiner as one that was delivered between 1999 and 2003. But why, on one hand, can one police station be built in one suburb in Port Stephens without using ratepayers’ money when, on the other hand, two stations that were an election commitment have to be paid for by the ratepayers?

I have spoken before about the New South Wales government forcing local government to pick up the tab for services that are really the responsibility of the state government. Councils and ratepayers should not have to pay for police stations. Ratepayers already pay for police services via their taxes, so why should they be slugged yet again for a service that the New South Wales government has responsibility for providing? It is a double standard of unbelievable proportions and a real kick in the teeth for residents in Port Stephens.

These residents made their views clearly known during the election campaign. They want a bigger police presence in the area and more police on the beat. Crime in areas such as Raymond Terrace, Medowie and Tilligerry has in recent years forced many residents to look at setting up their own patrols to protect household and business property. People are tired of having the windows to their shopfronts smashed or their cars damaged at night. They want, and they were right to expect, the New South Wales government to deliver on its promise to put a bigger police presence in the area.

Just recently, Salamander Toys and Hobbies in Medowie was broken into, with around $6,000 worth of stock stolen. Four nights prior to this, Pirate Point Surf was ram-raided and stock was also stolen. On 19 April, Bi-Lo was broken into. On 18 April, Medowie Cellars was broken into. And, on 17 April, Dowling Real Estate was robbed. What do people have to do to make the New South Wales government listen and take action on this matter? Because the New South Wales government have failed to upgrade the prison cells, the Raymond Terrace Courthouse is now closing. And on top of that we know that the New South Wales government will not be building a new station at Raymond Terrace or Tilligerry. It is as if all the concerns that residents had in the election about crime and law and order have gone completely unnoticed.

Interestingly enough, the federal government announced last week that, as a result of a $4.4 million allocation to the Federal Magistrates Service, Newcastle will get a new federal magistrate. So, on the one hand, the federal government is committing and putting more into legal services in the region and, on the other hand, the state government is effectively taking them away. It is a situation which, I am sure, has many people shaking their heads in disbelief. Many people, including myself, are very concerned about the impact that the closure of the courthouse will have on the area.

Law and order was a huge issue for the state government in the March election. Promises and commitments were made during that election, but now we see those commitments thrown out the window. I urge members on the other side who have connections with our New South Wales state Labor government to ask them to live up to their promises so that people can feel safe in their homes. Not having a court service and having police removed from the local area will further exacerbate the crime problems in the area. Crime is high enough. People do not feel safe in their homes, and it is time that something serious was done. I think that the
member for Port Stephens is probably an honest bloke and that his intent is genuine. Let us hope he can convince Bob Carr and his state mates to deliver on the promises and commitments they made. That should mean that the courthouse does not close on 20 June.

The DEPUTY SPEAKER (Hon. L.R.S. Price)—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.

BILLS RETURNED FROM THE SENATE

The following bills were returned from the Senate without amendment or request:

Criminal Code Amendment (Terrorism) Bill 2002

Therapeutic Goods Amendment Bill (No. 1) 2003

TERRORISM INSURANCE BILL 2003

Consideration of Senate Message

Bill returned from the Senate with amendments.

Ordered that the amendments be considered at the next sitting.

APPROPRIATION BILL (No. 1) 2003-2004

Second Reading

Debate resumed from 15 May, on motion by Mr Costello:

That this bill be now read a second time.

Mr McMULLAN (Fraser) (7.08 p.m.)—I rise to speak on Appropriation Bill (No. 1) 2003-2004. The budget we are about to begin debating here in the parliament, the public has, in an economic sense, stopped debating. The budget was an economic non-event but it may well mark something of a watershed in Australian politics. The government would have you believe this was a steady as she goes budget, the big features being the tax cut and a few other measures to do with security, health and education. However, this budget is about much more than that. Both the government and the opposition have had much to say, in the budget speech and in the reply delivered by the Leader of the Opposition, about Medicare and about tertiary education. While the subject matter was the same—Medicare and tertiary education—the approaches were significantly different. That is why this budget has the potential to be a watershed: it demonstrates more starkly than any other budget for many years the political choices facing Australia.

The government’s budget and the opposition’s reply demonstrated that there are clear and important differences between the parties—differences both in our immediate policy prescriptions and in our underlying values. This budget demonstrates clearly the choices and priorities of each side of politics. It presents clear choices and priorities for Australian voters, and for that reason it has sharpened the edge of political debate between the parties and in the community in Australia. In some ways that is a very healthy development, although the manner in which it was brought about by the government has been a cause of some concern.

One particular aspect of this budget that I want to focus on today is that this is a budget that betrays the battlers. The Prime Minister’s most famous boast used to be that he would look after the Aussie battlers. It was a mantra that he thought showed his common touch and his concern for ordinary Australians. He does not make this boast anymore; we have not heard it for a long time. There is no wonder about that. The Prime Minister’s betrayal of the battlers in this budget reflects his core beliefs about the role of government. The budget brings into the open an ideological agenda that has always been a core po-
This budget reveals that this government is pursuing an ideological agenda of shifting costs and responsibilities from government to individuals. One of the lessons that I think needs to be learnt from the assessment of and commentary on this budget is that people use the word 'reform' very loosely these days. It is as if it is a synonym for change. Not all change equals reform. The changes to Medicare and to higher education—and they are significant changes—are not reform. Reform carries with it the implication of improvement and progress. These are definitely changes, but they are a long way from being reforms.

The consequence of the agenda that the government has outlined is deeply disturbing. It undermines a crucial value that has traditionally been very strong in Australian society: the value of fairness. This budget confirms that under this Prime Minister most Australian families are getting less and less help from the government for services once considered an essential part of the government’s role. The biggest losers, across the broad range of policy issues, are working families earning more than $30,000 a year. These Australians are the backbone of the economy—the nation is built on the backbone of their hard work. They aspire to a better life for themselves and particularly for their children. It is a cruel hoax for the government to pretend to be interested in them when it betrays their interest at every turn. Their losses are driven by an insidious pattern to the Howard government’s policy changes. In many key areas of this budget, most importantly in health and education, the government is withdrawing support and transferring the burden to families.

The bills we are dealing with tonight translate the main spending decisions announced in the budget into law. They do this by appropriating money from the consolidated revenue fund for the business of government. The opposition, of course, will not oppose the bill—we have never opposed appropriation bills. It is strangely ironic to hear the Prime Minister talking about Senate obstructionism. He is the one person in this parliament who was associated with and supported the proposition, while a member of parliament, that the then opposition should use its numbers in the Senate to block supply. That in the same career he could say with equanimity, ‘I support the right of the Senate to block supply but I am opposed to it defeating any of the legislation I put forward,’ is the high point of something for which there is a well-known Australian phrase—which is unparliamentary—that means you say one thing but you do another.

Mr Deputy Speaker, there is a well-known word for it but I do not think you would allow me to use it—but every Australian knows what it is. We will not be exercising that double standard. We will not be opposing the bill. However, in the light of the criticisms I have mentioned, we will be moving a second reading amendment. I move:

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 condemns the government for:

(1) Its obsession with shifting the cost of health and education from the budget to Australian families;

(2) Imposing higher costs of doctors visits on families without concession cards and a 30 per cent hike in essential medicine prices;

(3) Allowing HECS fees to rise by 30%, introducing a loan scheme with a 6% interest rate and doubling the number of places reserved for full fee paying students;
(4) Its cynical attempt to distract the public from these higher costs by offering miserly tax cuts of $4 a week for the average family;

(5) Its failure to address the complexity of superannuation and its determination to offer super cuts only to the wealthiest families;

(6) Its willingness to deliver tax cuts to corporate Australia while imposing a record tax burden on Australian families;

(7) Its failure to protect the superannuation savings of Australian families by protecting them from corporate greed;

(8) Its decision to hire yet more tax officials rather than take steps to ease the BAS compliance burden on small business; and

(9) Its failure to provide leadership on environmental issues and in particular its failure to address water reform”.

In moving that second reading amendment on behalf of the opposition, I want to focus for a while on this issue of the budget betraying the battlers. In speaking to the National Press Club on this matter last week, I outlined several important ways in which the budget betrayed the battlers. I will refer to them briefly on this occasion. Most damaging of all are the changes to Medicare. The budget demonstrates that the government’s goal is not reform of Medicare but Medicare’s destruction. The government’s Medicare changes will make most Australians pay three times for their health care: by paying a Medicare levy, by purchasing private health insurance and then by paying every time they see a doctor. By contrast, the measures announced by the Leader of the Opposition in his budget reply speech aim to staunch the wound created by the government’s changes. More importantly, they are the first step towards Labor’s long-term objective of saving Medicare—starting with the goal of lifting the average national rate of bulk-billing back to 80 per cent, the level at which it stood when the Howard government came to office.

The changes to higher education in the budget will further shift the burden of paying for education from the government to Australian families. As a result of the massive increase in HECS fees already made prior to this budget under the Howard government, Australian families are paying $900 million more this year towards higher education than they were in 1996. Yet the government’s main idea for increasing funding to Australian universities is to make students and their families pay even more.

The tax cuts offered in this budget will disappear in the blink of an eye. The significance of the tax cuts is only that they provide clear evidence that John Howard and Peter Costello felt the need to respond to the widely accepted fact that they run the highest-taxing government in history.

The budget papers also reveal that the Prime Minister’s much-touted baby bonus is a flop. The baby bonus was the centrepiece of the government’s family policy in the 2001 election. When it was introduced last year, the baby bonus was expected to provide $335 million in assistance to families in its first two years, but the budget papers show the estimated benefit from the baby bonus in its first two years has slumped to $230 million—that is, 31 per cent less than expected and $105 million less in support for families than was promised. It appears the fall has occurred because substantially fewer women than the government originally estimated have taken up the baby bonus. This is not surprising. The baby bonus, after all, provides the biggest benefit to those who need it least and fails to provide financial support when it is most needed, and the average baby bonus payment is only $680 per year—or less than $2 per day—which is less than one-third of the amount paid to the most well-off. The poor take-up of the baby bonus is yet another sign of the government’s mistaken priorities. The so-called Howard battlers on
low to middle incomes have been hit from all directions by the budget, and they certainly will get very little benefit from the baby bonus.

All those reasons are reasons we put on the public record on budget night and last week. Today I want to outline a couple more areas where the budget betrays the battlers. Firstly, I will go to the issue of golden handshakes. The revelations last week about the payout to former BHP Billiton chief executive Brian Gilberston, which could total as much as $50 million, highlight the government’s failure to take steps to impose constraints on excessive executive payouts. The opposition leader in his budget reply speech outlined our proposal to end tax deductibility for businesses for the portion of a redundancy payment that exceeds $1 million. The government has been performing the most amazing contortions in seeking to justify its inaction on this issue. We had, for example, the Minister for Revenue and Assistant Treasurer, Senator Coonan, at the weekend in a television interview saying that it was moving into ‘dangerous territory’ to use the tax system to dissuade companies from making excessive payments to executives.

Unfortunately, apparently nobody has told the Minister for Revenue and Assistant Treasurer that her government, the government of which she is a member—and the tax system for which she has responsibility to this parliament—has for seven years retained a law introduced by the previous Labor government which denies tax deductions to companies making excessive contributions to superannuation. That is good policy and it is appropriate that the government should continue it, but how can the Minister for Revenue and Assistant Treasurer say that denying tax deductibility to excessive golden handshakes is a dangerous precedent which should not be pursued but continue to deny it for excessive superannuation payments? If it is all right to limit tax deductions for excessive contributions to superannuation, what is wrong with limiting tax deductions for other golden handshake retirement payments?

Bizarrely, in that same interview, Senator Coonan applauded the action of shareholders in British company GlaxoSmithKline, who voted to reject an executive pay deal. I agree with her that that was a good decision. But she seems to be unaware that her government, through the portfolio of which she is an office holder, has rejected amendments moved by the Labor Party here in Australia that would have allowed Australian shareholders the same opportunity as the shareholders of GlaxoSmithKline. She thought it was a terrific idea for shareholders in the UK, but she voted against it in Australia. There is only one conclusion to be drawn: the budget betrays the battlers on golden handshakes too.

Let me turn to the very important issue of jobs, because another way the budget betrays the battlers is, when properly analysed, through its gloomy prognosis of the outlook for employment. There is a disturbing warning within the budget figures of the risk that unemployment will rise above current levels of around six per cent. The level of jobs growth usually follows changes in the growth of the economy, which is what you would expect. But statistics indicate that it usually occurs with a lag of around a year—about 12 months after growth slows, you see the consequential slowing in employment. The budget forecasts that non-farm GDP will grow 2.75 per cent in 2003-04, with no fall in unemployment. The budget unemployment forecasts do not go out beyond 2003-04. However, an analysis of the statistics suggests that there is a serious risk that the economy will follow the usual pattern of employment slowing in the year after a slowdown in economic growth. If this oc-
curs, unemployment is likely to rise above six per cent in financial year 2004-05.

There are warnings not in the budget but in commentaries about and subsequent to the budget that the outlook could be worse still than the budget predicts. The budget forecasts are based on the assumption that the Australian dollar will remain at a value of US60c on average over the year. But a Macquarie Bank research report last week argued that the recent rise in the Australian dollar is becoming an increasingly important risk to growth. Macquarie Bank warns that a sustained 10 per cent rise in the dollar could directly cut economic growth by around half a percentage point. This is because the stronger dollar lowers the return received by exporters and increases prices of imports. If that happens, employment growth is likely to be weaker still than that already implied in the budget forecasts.

Yet the government seems to have no appreciation of this serious risk. If non-farm GDP were to fall by half a per cent to 2.25 per cent, that would not be sufficient growth to sustain unemployment at its current level; 2.25 per cent non-farm GDP would not be sufficient to prevent unemployment from going up. Yet the government seems to have no appreciation of this serious risk. The Treasurer recently on a TV interview dismissed the prospects of employment falling below about six per cent. He seems to have given up on that goal. He seems equally unconcerned about the prospects of it rising higher. That is why on jobs, as in so many other areas, this is a budget that betrays the battler.

Let me speak briefly about Labor’s approach to budget policy. Of course we recognise the crucial importance of sound macroeconomic policy—this is the first of what I call the four foundations of sound economic management. Achieving low inflation and low interest rates will be a critical goal for a Labor government. As part of this, we will maintain our commitment to the golden rule of balancing the budget over the economic cycle. As an opposition we have been rigorous in demonstrating, in the lead-up to every election, that we will meet that golden rule. We have done this by providing full costings for all our promises. I have challenged the Treasurer from time to time to come up with any of the savings which we outlined in the Leader of the Opposition’s speech on the last sitting Thursday that he believes will not be able to be delivered in full and on time. He has not responded because he knows that all the numbers are the government’s numbers, straight out of the budget papers.

Over the four years to 2006-07—that is, the forward estimates period—through redirecting specified parts of the government’s Medicare package, opposing the reduction in the superannuation surcharge, not proceeding with the government’s changes to public sector superannuation and not proceeding at this stage with the proposed changes to business tax, the opposition have identified $2,884 million of savings—almost $3 billion of savings. And we will achieve further savings by reallocating the unfair and failed baby bonus, which the government has said will ultimately cost more than $500 million a year. This money will go to families, but in a fairer and more efficient way. I have already challenged the Treasurer to find in these figures any saving that is not achievable in full on the timetables we have specified. But of course there has been no reply because, as I said, he well knows that all the figures come from his own budget papers.

That list of savings is not only important in itself; it also demonstrates the opposition’s preparedness to make tough savings decisions. More than $3 billion of savings is only the beginning of our effort in identifying our better priorities; there is a lot more to come.
Let no-one be in any doubt about our determination to run a sound and sensible budgetary policy and our willingness to make the tough decisions—sometimes the unpopular decisions—to achieve those outcomes. Let no-one be in any doubt either of our determination to do so in a way that redirects the budget priorities to those abandoned in this budget: working families—the battlers that John Howard has abandoned, the battlers that this budget has betrayed.

The DEPUTY SPEAKER (Hon. L.R.S. Price)—Is the amendment seconded?

Ms Livermore—I second the amendment.

The DEPUTY SPEAKER—The original question was that this bill be now read a second time. To this the honourable member for Fraser has moved as an amendment that all words after ‘That’ be omitted with a view to substituting other words. The question now is that the words proposed to be omitted stand part of the question.

Mr LINDSAY (Herbert) (7.28 p.m.)—Mr Deputy Speaker, thank you for your call tonight during the debate on the Appropriation Bill (No. 1) 2003-2004. The government has abandoned the battlers of Australia? I wonder if the honourable member understands some fundamentals in the budget process that underpin support for the battlers of Australia. I guess the best thing that a government can do is to run a sound, well-managed economy that keeps interest rates at record low levels and inflation way down—that is the best thing that you can do for the people of Australia, and that is what the government have been doing. The government have been doing it because from 1996, when we were first elected, we took the really difficult decisions. The honourable member talks about the opposition taking difficult decisions. Goodness me, I remember those days in 1996, when it was extraordinarily difficult to bring the budget back into line. Thank goodness that the Howard government did it.

Thank goodness, with the experience of the very many unexpected things that have happened over the seven-year period, that we are able to bring back a soundly managed economy that runs budget surpluses. It is to the credit of Treasurer Peter Costello that he, along with the ministry, took those tough decisions and made sure that we were able to run a very soundly based economy. I think this is a period in Australia’s history that will be looked back upon by the scholars of history as an indication of how a government, in fact, can run a soundly based economy.

The fundamentals underpinning the budget are protecting, securing and building Australia’s future by taking responsible decisions to protect the Australian economy. A lot of talk goes on about, ‘You could do this,’ or, ‘You could do that,’ but fundamentally the budget that was delivered on 13 May did just that, and thank goodness it did. There are a lot of nuances, and the previous speaker, the member for Fraser, was right about what might happen with the Australian dollar, where it might go and what the risks are. There are many other risks as well. But goodness me, this country has had to deal with so many unexpected pressures in this changing world—most of them coming from external influences, such as a weak world economy or in the context of terrorist threats, of homeland security and so on. We have been able to deal with that because we had a strong budget and we are running a strong economy. We want to keep Australia’s economy strong. We have a commitment to stronger national security—that is, creating the conditions to allow for a more confident economy and a more secure future for Australian families.

I think Australian families understand that, yes, there are some difficult choices. But the
Howard government is a government that has been prepared to stand up for difficult choices, and it now has a long track record where it has made some difficult decisions to ensure that we are able to keep the economy strong. Of course, we have been able to do that at the same time that the international economy has certainly had some grave difficulties. We have been able to do that by building on defence and national security—which is very important in my electorate. We have been able to cut personal income tax. We have been able to preserve Medicare. We have been able to increase access to Medicare. We have been able to pour a whole lot more money into education.

In summary, I think I am a member of a government that is the only government in the world that has delivered a budget this year that has been able to provide for massive unexpected spending on a military operation, massive spending on new security arrangements to keep Australia safe, massive increases in health expenditure, particularly through Medicare and through the Australian hospitals agreement, and massive increases in education, while at the same time delivering tax cuts to all Australians and a surplus as well. That is the trifecta in one. I was very proud on budget night to see all of that delivered.

Turning to my own electorate and being a bit parochial about this—and I think it is important to be a bit parochial about this—I represent Australia’s largest tropical city, which is the Townsville-Thuringowa region, a city that is booming at twice the state growth average. Some say it is the work of the local member—I like to hear that. Certainly we do a lot of work to make sure that the city powers along. Townsville has done very well out of the federal budget this year. I am very proud that one of the centrepieces of the budget was the delivery of a super centre of research for Townsville. This is the newest super centre of research in Australia, and it is being delivered in North Queensland.

We have been able to arrange a formal affiliation between the Australian Institute of Marine Science and James Cook University. This formal affiliation will be called AIMS at JCU—the Australian Institute of Marine Science at James Cook University. AIMS at JCU will be a science powerhouse because of the opportunities. In fact, the director of AIMS, CEO Professor Stephen Hall, calls it the ‘Harvard business school of tropical marine science education and training’. We cannot do any better than that. We are building on the centre of gravity of tropical marine science that exists in Townsville, through AIMS, through JCU, through the reef CRC and through the Great Barrier Reef Marine Park Authority, which is headquartered in Townsville. It is a huge resource of marine science; we lead the world. This new super centre of research, this new cluster, will attract the highest quality postgraduate students from around the world. It is a marvellous result for our region.

There were big increases in Defence spending in Townsville. Not only do we have the most significant tropical marine science centre in the world; we also have Australia’s largest Army base—Lavarack Barracks. We also have a very significant RAAF base, RAAF Townsville. Huge amounts of money were provided in the budget for Defence for new capital works. The redevelopment at Lavarack Barracks and RAAF Townsville has pumped $103½ million into the Townsville economy this year. Some marvellous work has been done by the contractors, Leightons and Theiss, at the two respective projects. On top of that, there are a number of ancillary projects. We expect to have another 100 accommodation units built on base over and above the 1,004 units that have been built in the last year. They will cost $12
million extra and that will circulate through the economy. More work will be done on the combat training centre. On top of that, Operation Safe Base, an Australia-wide operation, will impact positively on Townsville. More people will provide the enhanced guarding, patrolling and protective searches to make sure our bases are safe.

Lavarack Barracks is home to Australia’s ready deployment force. The battalions in Townsville respond within 24 hours anywhere in the country. We are on the shortest notice to move—and well we might be, because virtually all of Australia’s overseas operations in the last 10 or 15 years have been mounted out of Townsville. There is also a landmark figure of almost half a million dollars to implement the defence injury protection program, which was a very successful pilot program in 2001-02 that resulted in a reduction in injuries of over 70 per cent. It is good to see that that project will become a full-time project in Townsville.

That was not all the good news: there is more! James Cook University has had its biggest boost in years from this budget. Do not let me hear anybody say that the Howard government does not support higher education. The boost that James Cook University got in this budget delighted the senior academic management of the university. They could not believe that the government delivered so much. A number of regional programs in the budget were of great benefit to JCU. The AIMS affiliation will also benefit JCU, which will become the most significant regional university in the country. It will become a regional sandstone. I was very disappointed that the opposition called James Cook University a second-class university. It made me very angry. Senator Carr was responsible for making the claim, and he made it publicly. James Cook University is also very angry. The university is undertaking world-leading research in its immunogenetics program, through the medical school, as well as in marine science and earth science. The Labor Party consider JCU to be a second-rate university. I hope they continue to say that loud and long because I know that the 8,000 students in Townsville will not be very happy about that and neither will the academic staff.

We have been able to reduce the regional loading for the university in the budget. JCU is in the top five for extra funding out of the 32 regional universities. It delights me that we were able to achieve that. This budget will also give us an increase in base funding in the year 2005, which will be another $9 million for JCU. An additional 210 nursing places will be provided at regional universities. JCU has a very significant nursing program, so it will benefit from that initiative. It will also benefit from the new Commonwealth learning scholarships, particularly for students who have to come from rural areas of North Queensland. JCU students themselves will benefit from the approximately $3.7 billion in financial assistance to students through new student loans. To cap it all off, the Commonwealth Education Costs Scholarships are there for regional students as well. It is just a delight to see that that has happened.

When the state government brings its budget down on 3 June, I hope that it can match the increases that the federal government have provided in areas such as health and education. Parliamentary Secretary Worth might be interested to know the Queensland figures. Since the Howard government came to power, funding for state schools has increased by a massive 69.2 per cent. If anyone ever tries to say that we do not look after the state school system, they can be shown to be completely wrong. This year I would like to see the state government match the federal government’s contribution
to state schools. Let us see whether they deliver that in their budget.

It is the same with the funding for hospitals. The parliamentary secretary will be aware that the government have offered additional funding of up to $42 billion under the Australian health agreement over the next five years for funding of public hospitals. It is a 17 per cent increase in real terms. We want to see that matched by the state governments. It is a very interesting situation indeed in Queensland. There have been terrible problems week after week at the Townsville Hospital. It is a world-class hospital, but there are new problems every week. The extra money that has been offered by the Commonwealth should be pumped into hospitals like Townsville Hospital, but Premier Beattie has said, ‘We don’t accept the Commonwealth’s offer.’ Queensland stands to lose $851 million because the Beattie government will not match the Commonwealth’s increase in spending. Secondly, it will not be transparent about where it spends its money and will not show us that it is actually spending the increases on hospitals.

State governments have become pretty cute about these things over the last few years, so the Commonwealth government has decided to insist that its increased funding for hospitals is actually spent on hospitals. But the Beattie government is refusing to sign up to that. I wonder what that means. I wonder what has been happening over the last several years. I wonder if funding destined for hospitals never got there and it went somewhere else. The Commonwealth government is going to stand its ground and, if the Beattie government does not sign up to a great deal—an extra 17 per cent in real terms over the next five years—Queensland is going to miss out on $851 million of funding. I will be looking at that very carefully.

In the few minutes that I have left, I would like to comment on ALP Medicare policy. I could not believe what Simon Crean announced in his budget reply. He said to the whole of Australia that people who live in regional areas—like Townsville—are second-class citizens. ALP policy is that people who live in regional areas are second-class citizens. Do you know why? What he has done is announce a Medicare policy which says that, if you are in a capital city, doctors will get an extra amount of money if they bulk-bill 80 per cent of their patients. But, if you live in a regional city, doctors will get an extra amount of money if they bulk-bill only 75 per cent of their patients. If they live in a rural area, doctors only have to bulk-bill 60 per cent. How can you run a policy where you expect more people to be bulk-billed in the capital cities than you do in a city like Townsville, the capital city of Northern Australia? What a discriminatory policy. We will not be treated as second-class citizens, and we will reject the Australian Labor Party whenever they treat people in regional Australia as second-class citizens. I invite them to continue to do it, because it means the Howard government will be in power for a long time.

There are two final matters. I saw the managing director of the ABC in Senate estimates today. Something I would like to see for Townsville is the replacement of ABC Radio National, which has a transmitter in Townsville, which I think two and a dog listen to. I would love to see its program feed change to ABC News Radio, a much more relevant program these days. It is the radio equivalent of Sky News television. People want up-to-date information. They want to be able to turn on, get what they need and turn off. I think that that particular transmitter would be much better used if it was used as a feed for ABC News Radio. I challenge the ABC to have a look at the listenership of
Radio National in Townsville and, when they find what it is, to change to News Radio.

Finally, just a big hi to the men and women of HMAS Newcastle, which I sailed on in the not too distant past. They are a great crew. I will have some more words to say about that at a later time.

Mr COX (Kingston) (7.48 p.m.)—I rise to speak on Appropriation Bill (No. 1) 2003-2004. The 2003 budget exposes the Treasurer’s policy weakness. Australia is in its 13th year of almost continuous economic growth, disrupted only by the introduction of the GST, but the Treasurer is unable to provide for tax relief for bracket creep, unable to provide services—in particular, through Medicare—that Australians had previously enjoyed and unable to produce any major economic reforms, such as the major enhancements to Australia’s international tax competitiveness that were promised by the discussion paper that his department issued for consultation last year. After 12 years of economic growth, the general level of taxation has risen and continues to grow, a rapidly escalating number of Australian families cannot find a bulk-billing doctor and the government’s capacity to provide major economic reforms has all but stalled because of a lack of money.

Instead of economic reform, instead of some new initiatives that would restore Medicare and instead of tax cuts that would take the pressure off the budgets of working families, we have more of the Treasurer’s tired claptrap about what the government can afford. The Howard government and, in particular, the Treasurer have made a central focus of the political rhetoric of running a sound fiscal policy. Unfortunately for the government and the country, the Treasurer’s days of doing that are long gone. The reality is that the net impact of policy decisions taken by this government, measured in the calendar year in which they were made, over the current budget and three forward estimate years, now stands at $65.4 billion. How could the government have arrived at a situation where it has made policy decisions with a net impact of $65.4 billion but it cannot return to taxpayers the full value of bracket creep, low- and middle-income Australian families cannot find a doctor who will bulk-bill and the government cannot deliver reform of the tax system to make it internationally competitive? I seek leave to incorporate in Hansard a table which shows the net impact of policy decisions on the budget bottom line each year since 1996.

Leave granted.

The table read as follows—

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Mr COX—That lack of financial control results from one thing: short-term politics dominating decision making. After eight years, we can see the impact of that pattern of spending in the misplaced priorities of public expenditure. The government has focused on only two things in determining its fiscal policy: achieving a surplus on the underlying cash balance and reducing net gov-
ernment debt. It has achieved the latter largely by selling assets. I seek leave to incorporate in Hansard a table that shows the contribution of asset sales to reducing net government debt.

Leave granted.

The table read as follows—

<table>
<thead>
<tr>
<th>ASSET SALES AS A PROPORTION OF REDUCTION IN COMMONWEALTH NET DEBT</th>
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<td>SALE OF FINANCIAL ASSET SALES</td>
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<td>TOTAL</td>
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Mr COX—Since the Howard government came to office, and by the end of this financial year—that is, 2002-03—debt will have been reduced by $63.4 billion. However, $55.3 billion of that has been achieved using asset sales, both financial, like Telstra, and non-financial, like the Department of Foreign Affairs building. That debt reduction is much less impressive when you take into account the means of achieving it.

The government’s targeting of the surplus has not resulted in containment of expenditure, because it has been prepared to increase taxes to maintain those surpluses. This government has increased taxes in three ways. Firstly, it has introduced the GST. Secondly, it has not handed back the full value of bracket creep and so the general level of personal income tax is being allowed to increase notwithstanding the tax mix switch, which was one of the primary objectives of the Howard government’s GST. If anyone thinks that the GST resulted in substantial long-term income tax reform, they should have a careful read of David Stevens paper entitled ‘Australian Taxation in an International Context’, which concluded:

The abolition of the Wholesale Sales Tax (WST), the low GST rate, and the numerous exemptions has resulted in there not being a significant switch from the taxation of income to the taxation of consumption under the New Tax System.

The third way in which the government has increased taxation has been through a series of special levies and taxes such as the milk levy and the Ansett ticket tax, which the government is still continuing long after its original purpose has been obviated.

Total tax as a proportion of GDP has grown as a result of the government’s tax policies from 23.1 per cent of GDP in 1996, when the government took office, to 25.3 per cent of GDP in the 2002-03 financial year. The government now taxes 25.3 per cent of GDP to pay for Commonwealth own purpose outlays and payments to the states that used to take 23.1 per cent of GDP under the Labor government. If you deduct payments to the states from the 23.1 per cent to produce a comparable figure with the Treasurer’s budget papers, it would be well below 20 per cent. I seek leave to incorporate in Hansard a table showing total tax as a proportion of GDP.

Leave granted.

The table read as follows—
Mr COX—Bizarrely, the Treasurer defies IMF and ABS conventions and insists on ignoring the GST, because he wants to suggest that the Commonwealth tax is now only 21 per cent of GDP. Perhaps this is because he wants to pretend that he has turned the clock back to where taxes were at the end of the Whitlam government when total tax was 21.3 per cent of GDP. Unlike now, that was a time when the federal government was really throwing money at the states, particularly my state, and Commonwealth taxes to do that and pay for Commonwealth owned purpose outlays, which had grown significantly, were then still only 21.3 per cent of GDP. There is something seriously wrong when the Treasurer of the Commonwealth of Australia ignores the Auditor-General’s advice as to how budget figures are presented. This may explain why the government is reluctant to have the final budget outcome audited, because if the government persisted in ignoring the GST revenues and expenditure of an equivalent amount of money to the states those accounts would have to be qualified. There is little point in this Treasurer lecturing the business community on corporate governance when he does not listen to his own Auditor-General on an essential matter of the presentation of the Commonwealth public accounts and where he is hiding more than $30 billion of tax and expenditure.

Much has been made of the inadequacy of the Treasurer’s $4 tax cut. The Minister for Family and Community Services, Senator Vanstone, in her own eloquent way, spelt out the inadequacy of the tax cut when she said:

$5, hell, what will it buy you? A sandwich and milkshake, if you’re lucky.

But the real issue is how does a $2.4 billion tax cut stack up against bracket creep? It does not stack up against bracket creep. If it did, the tax cuts would be $900 million larger. That would cut the surplus to $1.3 billion in 2003-04, still a significant surplus. But the real reason that the Treasurer cannot give back the full proceeds of bracket creep is that if he did, in the two subsequent years 2004-05 and 2005-06, he would be putting the budget into deficit by $550 million dollars and $1.5 billion respectively. I seek leave to incorporate in Hansard a table relating Access Economics’s estimates of fiscal drag to the tax cuts and another showing what would happen to the surplus if the government handed back all bracket creep.

Leave granted.

The tables read as follows—

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* Source: Access Economics Budget Monitor
BUDGET BALANCE AND FISCAL DRAG

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Underlying Cash Balance

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</table>

Source: Budget Paper No.12003-04
Access Economics, Budget Monitor May 2003

Mr COX—In summary, under this government, the net effect of policy decisions by this government on the budget bottom line is a deterioration of $65.4 billion. That new policy has been funded by increasing tax from 23.1 per cent of GDP to 25.3 per cent of GDP. The budget is being kept in surplus by the extra tax collected through bracket creep. An overwhelming majority of debt reduction, $55.3 billion out of $63.4 billion, has been achieved with asset sales.

It is appropriate in the light of this systemic policy failure to draw attention to one of the expense measures in the budget papers under the Department of Finance and Administration. There are two measures: enhanced budget advisory capacity and enhanced budget information system. The additional measure for budget advice will cost taxpayers $9 million this year, $11.8 million next year, $12.1 million the year after and $2.9 million in 2006-07—a total of $19.2 million over four years. The total cost of these measures is $64.5 million. The fact that these measures are in the budget papers is a major admission of policy failure by the Department of Finance and Administration. They are a manifestation of abject failure by a once powerful and professional Commonwealth department. The fact that the money has had to be provided is an admission that the Department of Finance and Administration has huge problems. Those problems are the result of a failed experiment in public administration by the previous Secretary of the Department of Finance, Dr Peter Boxall. Dr Boxall’s tenure at Finance must now be judged a failure with the government having to introduce specific budget measures to put the department back together again after he effectively destroyed its advising capacity on budget policy.

Perhaps based on his experience at the IMF, where international officials impose severe corrective policy on bankrupt countries and do not have to stick around long enough to observe the consequences of their advice, Dr Boxall apparently decided to get rid of any officer in his new department who did not think exactly like he did. Within a couple of years, he had jettisoned a department’s corporate memory that had taken decades to build. He was keen to devolve many core finance department functions back to organisations that did not have the skills or resources to manage them. The results have been disastrous.

He also had a very narrow view of the core role of the Commonwealth government. He turned Canberra from a public sector town to a private sector town as he downsized and outsourced almost without regard to the concept of value for money. But the thing that he did which will stand as his lasting monument is the sale and lease back of
Commonwealth buildings, most dramatically the building housing the Department of Foreign Affairs and Trade. The Motor Trades Association of Australia superannuation fund is the chief beneficiary of this piece of policy lunacy. The MTAA CEO, Michael Delaney, alone amongst bidders, recognised what a great deal Peter Boxall was offering the successful purchaser. Very long leases, higher rents and guaranteed rent escalation clauses on property that would never be vacant amounted to an almost riskless investment with a high rate of return. It pumped up the prices received for the assets and so allowed the government to pay off more debt, but it did so at an astronomical ongoing expense to the taxpayer.

Mr Pyne—John Curtin House.

Mr COX—Centenary House was a case-book study in how not to do it. That lease was instigated by the then Auditor-General, it was negotiated at arm’s length and it proved somewhat expensive. There was a royal commission into it. The royal commission found that there was no impropriety in that arrangement, but it certainly trawled over all the problems that pertained to the Commonwealth taking out long leases with private property owners to pay for accommodation that would always be leased by the Commonwealth. The Howard government should have learnt from that experience. It certainly observed that one closely, and it should not have replicated it on a grand scale with all other Commonwealth buildings.

The sale of these Commonwealth buildings was done by Dr Boxall on the ideological pretext that the government was not in the business of owning buildings, apparently regardless of the concept of value for money. I was so horrified by it that I asked the Auditor-General to look at it, and his report has become a textbook case study in how a government should not do business.

At a recent seminar on the future of the bond market, Keith Chessell from Access Economics characterised the debacle as a sweetheart deal between the good fairy from the finance department and the property market. I have not met too many people who would liken Peter Boxall to the good fairy, but I would say that he was off with the fairies with some of his policy advice.

The important point is that the Howard government has explicitly recognised that it has a serious problem down by the rose garden, and it is having to spend serious money to fix it—more than $65 billion. The problems are there to see. The net effect of policy decisions by this government on the budget bottom line is $65.4 billion, yet Australian families cannot find a bulk-billing doctor. That new policy, as inappropriate as much of it was, has been funded by increasing tax from 23.1 per cent of GDP to 25.3 per cent of GDP. The budget, to the extent that it is being kept in surplus—and it was not last year—is being kept in surplus by the extra tax collected through bracket creep. An overwhelming majority of the debt reduction that the Treasurer boasts about—$55.3 billion out of $63.4 billion—has been achieved with asset sales.

The most important issue for public expenditure in this budget is Medicare. It is the most important thing that is at stake. This government has decided that it will spend $917 million on a series of policies which will see the end of bulk-billing. It is paying for that new policy with cuts of $918 million to public hospitals. The outcome is going to be disastrous.

The member for Perth has just entered the chamber. The member for Perth and I visited a bulk-billing practice on Doctors Road at Morphett Vale in my electorate. We sat down with five of the doctors, and the member for Perth, who is the shadow minister for health,
went through Labor’s policy, which is to spend more than double the amount that the government is planning to spend and in a better designed way. The doctors at this particular surgery, which is quite an efficient surgery—it has a practice nurse, two sites and seven doctors; I will not name it—had been waiting for the Howard government’s policy before deciding whether they would continue to bulk-bill. If they bulk-bill, they will get $1 per service from the Howard government’s policy. They said that they would not be able to afford to continue to bulk-bill.

Across the other side of Doctors Road is another surgery. This one is not a large practice—it has one site in the shopping centre—and the doctor and his wife, who is the practice manager, had stuck to bulk-billing until November last year. They had found three doctors who, in their retirement years, were prepared to work for them for the going rate, which was about $70 or $80 an hour. The only reason that this doctor and his wife were able to afford to maintain bulk-billing until last November was that they were paying themselves exactly half of what they were paying the people who worked for them. Reluctantly, they gave up bulk-billing last November and began to charge a co-payment. They are charging pensioners $5. That is about what the Labor Party’s policy would provide to a practice in that sort of area.

So if the Labor Party’s policy were implemented, one of them would be able to keep bulk-billing and the other would be able to return to bulk-billing. With the Liberal government’s policy, neither of those practices will be bulk-billing. They are both in an area where people are on very low incomes. As gaps rise, those people are going to miss out on health care. They will have to sit and wait in long queues at the local hospitals’ accident and emergency departments. On many occasions, there are going to be people in those areas who will miss out on getting any medical services at all. That is the critical issue in this budget. After $65.4 billion of new policy, the Howard government is unable to deliver a situation where Australian families on low or middle incomes are able to find a bulk-billing doctor. (Time expired)

Mr PYNE (Sturt) (8.08 p.m.)—Law and order has become a touchstone issue in contemporary Australia. The Commonwealth government recognises its responsibilities in this area and is continuing to act to protect Australians now and in the future. This budget alone will provide a record amount of Commonwealth money over four years for initiatives in the Attorney-General’s justice and customs portfolio. The Australian Federal Police received a massive funding boost in last year’s budget of $398 million over four years. The Australian Federal Police’s capacity to investigate terrorism has been further strengthened by the doubling of its strike team capability, which has been allocated $14.6 million in 2003-04, and by a focus on enhancing cooperative arrangements with partner agencies. This budget also continues our commitment to the Australian Customs Service, which is receiving an additional $218.2 million over four years, representing a funding increase of more than 50 per cent since 1996. The Australian Crime Commission has been allocated an extra $30 million over four years to investigate money laundering and tax evasion resulting from organised criminal activity.

The Tough on Drugs initiatives will receive a further $12 million to support key new measures. An additional $4 million is being allocated in 2003-04 to continue the National Crime Prevention program. This initiative was launched in 1997 as part of the Commonwealth government’s response to community concerns about crime and violence and the impact it has on people’s lives.
A key priority of the National Crime Prevention program is the prevention of juvenile offending. Australia’s financial intelligence capabilities through the Australian Transaction Reports and Analysis Centre, also known as AUSTRAC, will be boosted by $8.2 million in the 2003-04 budget to tackle money laundering. This represents a 51 per cent increase on existing funding. The full promise of the new proceeds of crime legislation can now be realised due to additional resources for the Commonwealth Director of Public Prosecutions and the Insolvency and Trustee Service Australia. The Australian high-tech crime centre will be formally opened in 2003 to improve national coordination in response to high-tech crime threats, including threats to the national information infrastructure.

The Howard government is demonstrating that we need innovative solutions to tackle the crime problem. Knee-jerk and populist-driven reactions, like mandatory sentencing and capital punishment, do not drive down crime rates. While we need creative solutions, we also need to get the fundamentals right. I grieve for those parents and many others who have witnessed the failure of, or have been failed by, the legal system. The legal system was designed and is managed by human beings. We are all flawed and sometimes the results of our work are flawed. For that reason, we rely on precedent—on the experiences of our predecessors—and we should endeavour to do this in as dispassionate a way as possible. What is required of government is an objective, unemotional assessment of what is good for the individual, for families and, as well, for society as a whole.

It is into this climate that I wish to wade today in examining the case for abolishing the legal principle of double jeopardy. Put simply, the basis of the principle of double jeopardy, which has been present in our legal system since the 12th century, is that an accused cannot be tried for the same crime twice. It has two objectives: to deliver certainty to an accused who is found innocent and to ensure that a prosecution is undertaken in such a way that the state does not use its power over the individual inappropriately. Instead, the onus should be on the state to make sure that it gets the job right the first time. Indeed, it is the very responsibility of the prosecution to come to court with its best case knowing that it will not get a second chance that protects the professionalism of our court system. The corollary to that is, faced with the prospect of being able to have a second chance, the shoddiness that may creep into the prosecution case may infect the whole court system.

The arguments in favour of retaining the principle of double jeopardy cross an interesting divide. There are those who would claim to be conservative who feel uncomfortable that a basic tenet of our legal system for 900 years is being called into question, and there are those who are liberal and who subscribe to the view that double jeopardy is a brake on the power and reach of the state in the titanic battle between the state and the individual. Regardless of which view one comes from, both would argue that abolishing the principle of double jeopardy is something we should not rush into. We need to pause and take stock of the arguments. The argument put forward by the Premier of New South Wales is that forensic technology is now such that we can, with certainty, gather the evidence necessary to reopen cases and try defendants where previously our research may have been inconclusive or non-existent. This is superficially appealing.

But there is another approach. While we should certainly be using the DNA research and forensic technology available to us in current cases to ensure that criminals are brought to justice successfully, it is not so
clear whether this technology should be used to reopen cases hitherto closed. To do so would overturn 900 years of legal practice in a way that would suggest that the state can move the goalposts on the citizen. In other words, this new technology should be used for our future and current investigations. Maybe the double jeopardy rule should be altered from the present onwards, but to remove it retroactively seems to me to be unfair. In a world where the state already has the dice loaded in its favour vis-a-vis the individual, to retrospectively change the law in this way would appear to be making the odds for the individual insurmountable. It should be resisted.

This evening I suggest that rather than abolish our system of rules regarding double jeopardy we consider the halfway house option of introducing a new third verdict alternative. Last month, Perth man John Button received $460,000 as an ex gratia compensation claim, a year after his 1963 manslaughter conviction was quashed. Mr Button served 5½ years of a 10-year prison term, after being found guilty of running down his then 17-year-old girlfriend, Rosemary Anderson. Mr Button’s conviction stood for almost 40 years, despite the death row confession of serial killer Eric Cooke and an absence of any forensic evidence on Mr Button’s car. Meanwhile in Queensland, accused killer Raymond John Carroll, twice found guilty over the murder of 17-month-old Deirdre Kennedy, walks free after three successful appeals on legal technicalities, including double jeopardy. How would abolishing double jeopardy affect these men, their families and the families of their victims?

In the case of Raymond John Carroll, allowing another trial to proceed would probably go a long way to seeing justice served and giving some peace of mind to the victim’s family. In the case of John Button, it would probably lead to acute anxiety, sleepless nights and, if he were charged again, emotional and financial strain that would almost certainly destroy him and his family. Mr Button’s 40-year nightmare would continue for the rest of his life. It also raises the question of how adequately an accused could defend themselves if required to engage legal representation for a second trial. How do we protect someone who has spent their entire savings on a legal defence, only to discover that they must stand trial again with no savings to appoint a lawyer for a second trial?

There is a strong argument that double jeopardy still has an important role to play in fettering state power. No-one should assume that the state has an unblemished record in conducting fair and proper criminal law prosecutions. There are famous instances where ham-fisted prosecutions have resulted in wrongful detention. Internationally, the Guildford Four case in the 1970s in the United Kingdom and, more recently, the Tulia drug case in the United States are two examples where convictions were overturned following questionable practices by the prosecution. Similarly, there is interesting new research which highlights DNA studies that prove high rates of wrongful convictions have been achieved for death row inmates, partly because of public pressure to convict someone—anyone—for heinous crimes.

Double jeopardy has been a cornerstone of most legal systems for centuries. There is a risk that by abolishing this doctrine altogether we may be throwing the baby out with the bathwater. It seems that we are at a classic impasse: we are damned if we do abolish double jeopardy and we are damned if we do not. But there is an alternative that provides the best of both worlds. Scotland’s criminal legal system provides three possible verdicts: guilty, not guilty and not proven. A not guilty verdict invokes the protection of double jeopardy, allowing a clearly innocent person
to go about their life completely vindicated. A not proven verdict allows, with some restraints on oppressive prosecution, the case to be reopened with new evidence. There is no statutory, case law or universally accepted definition of the not proven verdict, nor of the difference between not proven and not guilty. In the 1964 case of McNicol v. HMA, Lord Justice General Clyde gave the following opinion:

The three choices are in fact much more logical and in accordance with principle than merely to give a jury two. Juries are not all-seeing and all-knowing. They are merely human beings and they can never know with certainty that a man is guilty. The furthest they can go against him is to hold on the evidence led before them it is proved beyond reasonable doubt that the accused did commit the crime. The true alternative to that verdict is that the Crown has not proved its case beyond reasonable doubt and the truly logical alternative, therefore, is a verdict of not proven. But there are cases where a jury can go further in the accused’s favour. The crucial Crown witness may be disbelieved or may be proved discreditable and the defence may be shown to be a true defence which they accept. In that case a jury may well be prepared to hold it positively established by the evidence that the accused did not commit the crime and the appropriate verdict would then be a verdict of not guilty.

The advantages of the third verdict alternative are threefold. Firstly, the benefits of double jeopardy are retained, giving security and certainty to all Australians who have been wrongly or maliciously accused and found not guilty. We all share a sense of outrage that Raymond John Carroll is a free man due to the double jeopardy rule, but I am not comfortable with a criminal law system that completely abandons the principle of double jeopardy. I think most Australians would likewise baulk at the thought that they or their loved ones could be repeatedly brought before the court over the same allegation. The second advantage of the third verdict alternative is that prosecutions which fail for a procedural or technical reason do not put the jury in the invidious position of effectively finding the accused innocent in circumstances where available evidence points to probable guilt. There have been countless examples where technical difficulties or the actions of one hold out member of the jury frustrate justice. The O.J. Simpson trial is one such instance where the not proven verdict might have ultimately delivered a more sensible outcome. Thirdly, it draws on an ancient legal tradition, thereby providing some level of precedent and legitimacy to the proposal.

There is a risk that the third verdict system is good in theory but bad in practice. More specifically, there is a view that in a difficult trial a jury will take the soft option and deliver a not proven verdict. The alternative view is that with proper judicial instruction the not proven verdict will not be overused or become a judicial cop-out. A criticism of the third verdict system is that a not proven verdict attaches a certain stigma to the accused in that they are effectively found to be not innocent—or, as it was articulated in a 1994 United Kingdom consultation paper, the connotation is, ‘We think you did it, but we’re not absolutely sure.’ The alternative view is that even those persons found not guilty do not always escape some degree of stigma. A case in point is Lindy Chamberlain who, despite being found not guilty, still suffers from having a stained character.

In the same consultation paper it is argued that:

The public makes up its own mind about a case on what it has heard of the evidence and its attitude to the accused is not wholly determined by the verdict. There are cases where a not proven verdict is welcomed by a sympathetic public, and equally those where a guilty verdict has been perceived as unjust. The question of stigma is more complicated than a simple attachment to the not proven verdict.
Another criticism of the Scottish system is the question of judicial direction to juries. On occasions judges have attempted to explain to juries the difference and significance between the two acquittal verdicts, but this has sometimes resulted in appeals on grounds of misdirection. In practice, the appeal court has instructed trial judges not to attempt to explain the difference to juries. I stress that the three-verdict system has been in place in Scotland since the 17th century; it is not a new creation.

A misconception of the not proven verdict is that it prevents anyone else being convicted of that crime. This is incorrect. If there is evidence that someone other than the person tried may have committed the crime then it can and should be investigated. The Scottish experience shows that the not proven verdict is used in one-third of acquittals by juries and in one-fifth of acquittals in non-jury trials. Other statistics collected by the Criminal Justice Statistics Unit of the Scottish Office of Home and Health show that some types of court make more use of the not proven verdict than others. Among their findings is that juries make proportionately more use of the not proven verdict than others. Among their findings is that juries make proportionately more use of the not proven verdict, returning it in 42 per cent of High Court acquittals and 33 per cent of Sheriff Court acquittals—that is not in all decisions, just in acquittals—than do justices and sheriffs, who return it in about 21 per cent of acquittals in the summary cases that they hear alone.

Australian legislators could also introduce additional measures to constrain the scope and operation of the third verdict system, including a provision that limits the number of trials to two. Another option that has been publicly flagged is to allow the Attorney-General to set aside the double jeopardy protection on a case by case basis. On face value this option appears to have merit, but the politics of law and order means that we run the risk of this option being invoked only in cases where a frenzy has erupted in the media.

The double jeopardy rule should not be surrendered without appropriate consideration. It certainly should not be abandoned as a knee-jerk reaction in an election campaign, but there is something very wrong with a system that allows an innocent person to be retried ad nauseam or a system that allows the plainly guilty to walk away innocent because of a legal technicality. Adopting the third verdict alternative has the potential to overcome both conundrums. I thank the House.

Mr MARTIN FERGUSON (Batman) (8.25 p.m.)—I rise this evening to speak on Appropriation Bill (No. 1) 2003-2004, which seeks to appropriate some $40 billion to consolidated revenue for the ordinary annual service of government. In doing so, I point out that this appropriation is exceptionally important because it actually goes to the day-to-day operations of our nation. It is also a statement of the government’s priorities over the next financial year and ensuing years. That is exceptionally important, because we should never forget that what we are talking about tonight is not government money but taxpayers’ money.

The Australian government is entrusted with directing that money in the best interests of all Australians. In essence, through the budget process it makes a very public statement about its priorities. The responsibility of government is to ensure that these resources deliver the services and infrastructure that will improve the opportunities and wellbeing of all Australians and those we assist beyond our shores in more disadvantaged nations.

I contend this evening that the Howard government has failed this test and, in doing so, it has failed to establish, for our community and for future generations, priorities in
tune with the needs and aspirations of Australia in the 21st century. It is very clearly not a nation-building budget; it is a nation-cringing budget. When we look back through Australia’s history—and we are not an old country in terms of settlement, beyond Indigenous settlement—each generation of Australians has had a responsibility to future generations to live in a sustainable way. There is a requirement and an obligation as a nation to maintain and improve our infrastructure and services, and to protect and improve our health, education and environment.

I believe that this budget fails those basic community expectations in the determination of the government’s priorities, as expressed in Appropriation Bill (No. 1) 2003-2004 and the Treasurer’s speech. That raises at the outset the important issue of health care and the very clear endeavour by the Howard government to destroy Medicare. The Howard government is using this budget as an excuse to destroy what many of us believe is the best health care system in the world: Medicare. Instead of building on the strengths of that great system, this budget is about demolishing it and moving us all towards a flawed, second-rate, Americanised health care system that does not care for all Australians.

The facts speak for themselves. Bulk-billing will effectively end for two out of three Australians. The majority of families will have to check their wallets to decide whether they can seek medical help, regardless of how ill their family members may be. If they cannot afford to take their kids to the doctor, the Howard government then wants to slug them with a 30 per cent increase in the cost of essential medicines. Our public hospitals would be stretched to breaking point under this government’s health regime by forcing people out of the doctor’s surgery and into the emergency department of the nearest hospital, such as the hospitals that the constituents in my electorate depend on: the Northern Hospital or the Austin Repat Hospital.

The budget papers also confirm that the Howard government has taken the knife to our public health care system by cutting some $918 million in funding over the next four years. By taking money out of the public health system to pay for a new system—which will put further pressure on the public health system—we will have, in essence, a double whammy of pain for public hospitals. Whichever way you look, the Howard government is committed to ripping apart the health care system instead of investing in the health and welfare of Australians at large. It is basically undermining a system that has clearly stood the test of time.

When you go beyond the issue of health, you start to confront one of the other fundamentals of life: education. This budget is premised on the provision of educational opportunity in Australia only for the well-off in the community. The budget spells out very clearly an end to affordable higher education in Australia. I believe, and many of the electors of Batman also believe, that education is a smart investment for Australia. It is an investment, because it is about our future. It is about our skilling and our capacity to compete domestically and internationally. It is about jobs and prosperity for Australians. Open access to education and training, therefore, is a fundamental requirement of Australia. It is the best way to maximise return and capitalise on the opportunities our people can garner.

The problem is that, through this budget, the Howard government wants to restrict opportunities for education and training to those with a pocketful of cash or, perhaps more correctly, those whose parents have a pocketful of cash—therefore crushing the benefits to be gained by our nation from
making sure people get the best educational opportunity in life irrespective of their family background and irrespective of whether their parents have high-earning jobs or struggle from week to week to look after their children. Look at the increase in HECS. You can very clearly see that the government has one objective in life: to look after the well-off in the community rather than ensuring that all in the community get the same opportunities in life. HECS fees will rise by up to 30 per cent, and half of the already limited university places will be reserved for those who will pay the astronomical up-front fees.

I might say in passing that, in essence, this is about the Prime Minister changing opportunities for people to attend universities. I can recall the Prime Minister over the last couple of years having a lot to say about queues in the debate about migration and the *Tampa*. He went out of his way to stress the fact that Australians believe in an orderly way of life and that they actually see migration as being based on a requirement for people to make an application to come to Australia—in essence to join a queue—and be processed in an orderly way. It is strange that we now find that in terms of education, despite what he might have said on the immigration debate, the Prime Minister is putting in place a system which is effectively about enabling the wealthy in the community to jump the queue for educational opportunities. There is no longer a queue for educational opportunity in Australia; it is a case of university degrees being up for sale.

A university degree or an opportunity to pursue higher education only goes to those in the community whose parents can afford to pay. That is what it is about. People who can afford to pay will jump the queue and those from more difficult economic circumstances, who are unable to take on an expected debt of far higher proportions than any fair system would provide, will fall to the bottom of the queue and will be unable to attend university and achieve a fair opportunity in life through pursuing tertiary education. And, even if people are lucky enough to secure a place at a university and are prepared to take the risk of deferring payment of their fees, they will then graduate with a HECS debt of a minimum of $40,000 or more and find themselves paying the same rate of interest on the government’s loan as they would pay for a home loan. This system is condemned by a great majority of Australians, and so it ought to be. This is not the higher education system that Labor planned for when it introduced HECS; nor is it the higher education system that Australia needs in the 21st century. It is not the Australian way.

I also remind the House that, when you move beyond health and education, you very quickly come to the conclusion that this is not a budget for the battlers; not on your life. It does not go anywhere towards assisting the battlers in the Australian community who the Prime Minister likes to talk about from time to time. On top of gutting health and making higher education opportunity more difficult, the government is asking Australia to support a budget that delivers only to the top end of town.

Let us take, for example, the issue of multinational corporations. In this budget, the government proposes $300 million in tax cuts to head the way of multinational corporations. Superannuation tax cuts are to be handed to the top few per cent of income earners at a time when the so-called battlers are seeing their superannuation accounts decline because of difficulties in the international share market and local investment opportunities. But the government do not go out of their way to assist those people; they go out of their way to give the highest superannuation earners an even bigger superannu-
ation benefit by reducing the taxation on their benefits.

We then see the Howard government continue to stand back and reward company executives with tax subsidies for their massive bonuses and golden handshakes—an issue reinforced last week by reports about the payout to former BHP Billiton Chief Executive Officer Mr Gilbertson, another mate of the Howard government. The Treasurer thinks he can hide these pay-offs to the big end of town—after all, these are the people who give the huge and generous donations to the secret election accounts that the coalition so carefully guard. Having rewarded those people for those huge donations, the Treasurer is trying to suggest that there are a few perks for the ordinary Australian citizen. He thinks he can hide those perks to the top end of town behind a $4 a week tax cut for the majority of Australians, a tax cut that the Australian community has seen correctly for what it is: the smallest tax cut in the history of Australia from the highest taxing government in the history of Australia.

I actually look at my electorate. A recent report into poverty by the Darebin City Council sends a wake up call to the Howard Government. The findings of that report show that the basic structural causes of poverty are prevalent in Darebin, that the gap between rich and poor is growing and that, unfortunately, socioeconomic disadvantage is becoming entrenched in my local community. That community is not far from the Melbourne CBD. I say, as a range of my constituents have said to me over the week and a half since the Treasurer brought down the budget, that this budget does nothing to address their significant and major concerns, which go to accessing essential services and trying to overcome some of the disadvantages that exist in their local community.

I will now turn to some of the problems with respect to my own shadow ministerial portfolio responsibilities. I note that a cruel hoax is being perpetrated by the Howard government on the people of regional Australia. There are a number of disadvantaged regional communities around Australia. For a long time they have been promised a better deal—that we are finally going to do something to remove the difficulties that exist in those regional communities. I actually expected some major announcements in this budget for those struggling regional communities. So what did I get? Firstly, an amalgamation of regional programs—a proposal sponsored by the Labor Party at the last election. But then we go to the detail, beyond the simple statement about an amalgamation of regional programs.

I remind the House that those regional programs, which have diminished in amount since 1996, are more and more being used to pork-barrel marginal Liberal Party seats and, more often than that, National Party seats. When I go to the detail I find that regional Australia will lose $17 million in the next financial year and that the funding commitment to regional Australia has been shortchanged by the announcements of the recent budget to the tune of—not just $17 million in the next financial year but $102 million over the next three financial years. This is a 25 per cent cut to regional programs over a period of three years.

I believe that regional Australia deserves better than that. On all the indicators, including employment, health, education, assistance to improve the roads—you name it—regional Australia is doing it tough. There is no justification, be it remote regional Australia or the outer suburbs of the major capital cities, for this government to reduce the commitment to assist those struggling communities. The end result of these budget cuts is that regional Australia will again lose eco-
nomic opportunities because of the lost opportunities for a development embodied in
the announcements of the Howard government in its budget processes.

That takes me to the issue of AusLink, the question of the Ansett ticket tax and the on-
going decision by the Howard government to rip off ordinary Australians—the travelling
public. Our transport infrastructure is in a bad state of disrepair. There is $870 million
to upgrade the railway system in Australia. I contend that it is about time the Howard
government told the truth with respect to that proposed investment in railway infrastruc-
ture. In 1998, the Howard government promised to spend $250 million on our tracks over
four years, but less than $100 million of that promise has been spent. This is in spite of a
report, released by the Minister for Transport and Regional Services two years ago, that
said we need to spend $507 million to make any significant improvement to rail freight in
Australia. The budget papers contain the furphy that over $800 million is to be spent.
There is no additional money and there is no indication at all about where that $870 mil-
lion will come from. It is one huge white lie to try to convince the Australian community
that the Howard government is committed to the improvement of our rail freight system
when it is not committed at all.

There is a clear indication in the budget processes that the ticket tax will continue for
another 12 months. It is not only the Ansett ticket tax and the other cost imposts on
the aviation industry but also on the airline industry. I want to say to the Ansett
workers and their families this evening that the budget processes continue to say to the
Australian public that the ticket tax will stay in place to assist you. I know fully that none
of that money is going to the Ansett workers; it is going to the government coffers for the
purposes of their own pork-barrelling activities. The budget contains further increases in
costs for the aviation industry—an industry struggling at the moment because of the
threats of terrorism and SARS. There are also further cost imposts on the maritime
industry for the purposes of changes in maritime security.

I think it is about time the Howard government was exposed for what it is. It is a
government consumed with its own self-interest. The budget priorities set out in Ap-
propriation Bill (No. 1) 2003-2004 do not meet the needs and aspirations of Australia in
the 21st century. It is time the Howard government got the message that it is its respon-
sibility to govern for all Australians, not a few of its mates. Australians correctly expect
that they will have their taxes used to expand opportunities for all—not a narrow, privi-
leged minority in Australia. They want their taxes to be correctly used to look after their
personal health, not the political health of the coalition government. Australians want their
taxes spent on building the nation, not on tearing it down.

I therefore support the second reading amendment moved by the opposition. It cor-
correctly calls on the House to condemn the budget for failing to deliver basic services
such as health, education, and services in my own portfolio areas of regional development,
transport and tourism. The Howard government stands condemned for a budget that
delivers neither any vision or commitment to nation building nor a basic commitment to
the provision of services that Australians expect in return for the taxes that they pay.
Australians are hardworking people and they are prepared to pay their taxes, but they also
expect a safe and secure future through the normal Australian budget processes. That is
why Australia needs a Labor government: a government with a vision, as spelt out in the
Leader of the Opposition’s budget response—a government that would govern for
Mr DUTTON (Dickson) (8.45 p.m.)—I rise tonight to speak on the Appropriation Bill (No. 1) 2003-2004 and to record my thanks to the Treasurer and to the government for delivering yet another responsible budget in very uncertain times. It has been said before that this is a government that has been about delivering outcomes for families and outcomes for small business. This budget certainly delivered on those aims. One of the aims that I had from my interest and involvement in the community in my electorate when I came into this place was to serve and further the cause of families, because of the importance of families to communities such as that of Dickson. My very strong belief is that this budget provided to those people in no small way. This government has not only delivered on things such as lower interest rates but also provided for more economic certainty than was ever the case when interest rates, unemployment and inflation were so high under the 13 years of the Labor government.

One of the concerns that I as a member in this place have is that when we come to Canberra and when we are in these great chambers we can sometimes lose touch with the views of so many in our community. An issue that I have campaigned on very hard is that of double jeopardy. I have campaigned very hard on that issue because it is an issue that I believe needs to be addressed by this parliament and, indeed, by the parliaments of each state government around the country. I commend the Carr government for the progressive legislative changes they have made in relation to double jeopardy in modernising a law which is 800 years old. It is a law which has also been modernised in the United Kingdom, where it originated. The Blair Labour government in the United Kingdom has taken the opportunity to update and modernise a number of aspects of the criminal law system, including that of double jeopardy. I commend that government as well for the way in which it has approached with an open mind this very serious issue, which causes grief to families and to members of our community.

It is an issue which is very well known in Queensland because of the infamous case of Raymond John Carroll. I know that some members in this place have spoken as well on the tragedy of the Carroll case. Carroll is a person who has twice been found guilty by separate juries and who has, subsequent to each of those findings, been found not guilty by a higher court on a legal technicality. It is an issue that I have fought very hard on in my community, because I believe that change needs to be made. Some who would misrepresent the view that I and other members of my community hold have said that we are about abolishing the principle of double jeopardy. It is quite the contrary, in fact. That is not what we are about. We are very much about modernising the concept of double jeopardy, providing for certainty and making provision within the criminal justice system for outcomes and closures for families—like families who have tragically lost people like Deirdre Kennedy, the 17-month-old child who was lost to Faye Kennedy and her family almost 30 years ago. This year marks the 30th anniversary of the tragic loss of Deirdre Kennedy in those dreadful circumstances that all Queenslanders and, I am sure, all Australians are aware of.

The ultimate outcome thus far in relation to the trial of Carroll—who, as I say, has been convicted twice of that murder—is that we have a situation where Carroll appealed to the High Court on grounds including that of double jeopardy and has in my view escaped justice to date. The overwhelming evidence that was produced in that trial and in the previous trials in my view proved that
person’s guilt. We have a situation where a principle which is 800 years old has robbed that family of justice. If we are about providing justice and fair outcomes to victims of crime and to their loved ones—who live in electorates such as mine, Dickson, and indeed in others right around the country—why shouldn’t we be about righting the wrongs and providing for some fair outcomes for those people?

I have heard it said in this place that we should not be changing this principle simply because of the fact that it has been one of the cornerstones of our justice system for 800 years. In part, I agree with that argument. I am not advocating the abolition of double jeopardy, which is what some people who seek to misrepresent my view and my argument in relation to this matter would have you believe. Over the last few weeks, 15,000 signatures have been collected from people right around Queensland, and in particular from people in the south-east corner of Queensland, who have supported my calls for the upgrade and modernisation of double jeopardy. They share my view that double jeopardy is not a principle that should be abolished. It is one of the very important and fundamental cornerstones of the Australian criminal justice system. That is why we believe that the double jeopardy provisions should be retained and the principle modernised to provide justice in those cases where it has so far robbed people of that justice.

I have also heard people who misrepresent my view, and people who support my view, suggest that we should be looking at some overseas models. It has been suggested that we should be looking, for argument’s sake, at the model in Scotland which has been adopted for about 300 years. It is a system which provides for three outcomes: a verdict of guilty, not guilty or not proven. We know that it is a system which, despite those people who advocate it, is only operating in Scotland. A not proven verdict means that the prosecution has not provided enough substantial proof to convict the individual of a crime but there remains considerable doubt regarding the offender’s innocence. Under the Scot system, a person who has been given a not proven verdict cannot be retried for that same crime. That is a fundamental flaw in the argument that the Scot system would provide some justice or some outcome for those people under the Australian system who have been robbed by the outdated and antiquated double jeopardy provisions.

The not proven verdict has a 300-year-old history in Scotland and has been the subject of debate and criticism since at least 1827, when Sir Walter Scott labelled it ‘the bastard verdict’. In Scotland in recent times there has been a vigorous campaign to abolish the ability of juries to give a not proven verdict. The campaign was spearheaded by the father of a murdered girl whose accused killer was declared not proven. The argument against the system was that the verdict left victims’ families in limbo without a resolution either way, with no closure—not dissimilar in many ways to the lack of closure that is provided for families who are robbed under the current provisions of the double jeopardy system that operates in Australia.

A not proven verdict also leaves the defendant tainted with a verdict of ‘less than innocent’. In 2000, 23 per cent of Scotland’s 4,000 acquittals were declared not proven. That means that about 920 defendants were left without the clearance of an official exoneration and that 920 victims of crime and their families were left wondering if the guilty party was walking free. It is a system that is flawed also because it removes the cut and dried ability of a court to award costs to one party or another. This can necessitate a second judicial inquiry into costs. It further complicates the judicial process, as the sec-
ond inquiry can be lengthier and more complex than the trial itself.

I say to the House tonight that this Howard government is very much about providing better outcomes for Australian families. One of the ways we can do that is to ensure that the injustices that families like the Kennedy family have endured now for 30 years never happen again. That is why I have been part of his campaign to modernise—not to abolish but to modernise—the provisions of double jeopardy as it operates in the Australian criminal law system.

I call on the attorneys-general around Australia—and, indeed, on the federal Attorney-General—to further consider this principle. If they are, as the Premier in Queensland talks about, for providing some justice, some equity, some equality and some uniformity across Australia then they should indeed adopt the model which has been rightly adopted by the New South Wales government. The New South Wales government in its modernisation of the double jeopardy provisions has provided a system where, essentially, if new evidence does come to light then the police make approaches to the Attorney-General of the day—quite properly so. The police then are removed from the whole process. The Attorney-General then takes the decision that there is new evidence, if that is what is adduced by what is before him. If he then arrives at the decision that new evidence has been produced and that a new trial should be granted, the Attorney-General then makes application to the Court of Criminal Appeal.

If people are after a watertight system as best we can provide it, and a transparent system that provides for some certainty and some outcome, then that is about as close to perfect as we can get in this current system. Not only does it remove police from any ability to make a decision in relation to a second trial; it also removes the Attorney-General and therefore, some would argue, any political motivation that might exist for the Attorney of the day. It places, quite rightly, that decision to again pursue the defendant with the Court of Criminal Appeal of the day. The Court of Criminal Appeal then makes the decision based on the evidence that is before it that, yes, there is sufficient new evidence that has been adduced from that provided by the police—or wherever the evidence may have come from—to grant another chance at justice.

I really do implore the state government tonight to put aside arguments and distractions where people are talking about abolishing double jeopardy, because that is not what we are doing. That is a furphy that has been introduced into the argument, and it is convenient for the sake of some people’s arguments. We know that the Scottish system is a failed one; we know that people in Scotland do not agree with that system. And we know that we are about providing for fair outcomes. To be able to do that, we need to adopt a policy which modernises double jeopardy. It is a fundamental cornerstone of our justice system and it is a system which we do not recommend abolishing but which we do recommend updating.

There are other refinements that need to be made to our criminal law system to iron out these difficulties that we have from time to time. Make no mistake about it: this is not wholesale change which provides for some sort of ability for the state to pursue relentlessly some person who has previously been found not guilty. It does not provide that at all, and that is not what we are advocating. What we are talking about in the circumstance is providing for a fairer outcome for the people of Australian society. In my view, we need to put aside some of these arguments and distractions that other people have
put forward and deal very quickly with the issue at hand.

I renew my call tonight not just to the Queensland Premier but indeed to the state Attorney-General to listen to, I believe, the 99 per cent of Queenslanders who support the modernisation of double jeopardy to ensure that the tragedy and the circumstances that the Kennedy family have gone through for 30 years never happen again. We want a system which provides that certainty, that outcome and that closure for families. If we do not provide that then we are going to see forevermore the difficulties that have been presented to the Kennedy family and to other families. If we are going to be honest about the situation and the system that we are faced with at the moment, we have fundamentally a very good legal system. There are problems that we need to iron out. We do not need to make wholesale change and replace the whole verdict system; we need to make changes which modernise the system and make it fairer for all Australian families.

Debate interrupted.

ADJOURNMENT

The Speaker—Order! It being 9.00 p.m., I propose the question:

That the House do now adjourn.

Environment: Water Management

Ms Burke (Chisholm) (9.00 p.m.)—In resolution 55/196, the United Nations General Assembly proclaimed 2003 as the International Year of Freshwater. This proclamation provides the opportunity and impetus to further implement water resource management principles on an international level and, consequently, on a national, state and municipal basis. It is a pity that Australia has not adopted this international year. Fresh water is the most important natural resource in existence—a fact especially relevant to Australia, the driest inhabited continent in the world. Fresh water is vital for human health, social development and economic productivity, with its scarcity or abundance being an indication of the wellbeing of the population, the economy and the nation as a whole.

Given this backdrop, it is not surprising that when there is a decrease in the per capita availability of fresh water there is a need for concern. Over the past 50 years or so, with increased water abstractions and pollution coupled with population pressures, the international per capita availability has dropped by nearly 60 per cent. This is predicted to fall further as abstractions progressively increase and ground water pollution worsens.

My electorate of Chisholm is fortunate; it lies within the south-eastern suburbs of Melbourne, one of only five cities in the world that has protected wilderness catchments which are closed to human activity to protect water quality and public health, with water that is largely unfiltered, with minimal chlorine. However, just like the rest of eastern and northern Australia, there is an ever-reducing amount of water due to the climatic changes brought about by El Nino, bringing on one of the worst droughts in living memory; a drought that has devastated rural communities and altered the water use habits of those in the suburbs.

So what can be done about this devastating situation? Many would argue that nothing can be done—but not my state Labor parliamentary colleagues. They have implemented enterprising initiatives to manage us through the present crisis and beyond. Victoria is the first state in Australia to have a Commissioner for Environmental Sustainability, a position with the responsibility to properly manage and protect our natural heritage. They are amending the Victorian constitution to entrench in public hands the responsibility for the delivery of water ser-
vices. Moreover, the presenting of the Save-water awards in March gives deserved recognition to those businesses that implement and promote water sustainability. But arguably the most dramatic measure has been the courage to implement water restrictions, which many would have said was political suicide. However, what these detractors do not realise is that, when a decision is based on what is best for the people, then those very people will offer at least their understanding, if not wholehearted support.

This lifestyle sacrifice has been adhered to, if not embraced, by all Victorians, with not one prosecution necessary to date for breaching the stage 1 measures in place. In fact, the measures have encouraged volunteer groups to become more active in improving waterways and the surrounding areas. I take particular pride in mentioning two such groups in my electorate: Friends of Damper Creek, and Friends of Scotchman’s Creek and Valley Reserve, which have received grants to continue their important work.

But can the same attitude and principled approach be said of the federal government? Typically, no. Everyone affected by the current drought conditions is trying to do their part, but the federal Liberal government is being its usual obstinate self. In an effort to further sustainable water management, the Victorian government is committing $77 million to the Wimmera-Mallee pipeline project, a project of national importance. But what has the federal government done? Instead of matching the amount for this project, it has committed less than five per cent of the amount, which will make the project proceed in a piecemeal fashion rather than in the comprehensive manner that it so very much deserves. This project is vital. It is estimated to save 83 per cent of the water lost through seepage and evaporation, which is about 93,000 megalitres per year. Unfortunately, this is typical of the Liberal government. After seven years of drought and the challenges facing the Victorian people, it has ignored them when they are in need. When will the Liberal government understand that such a vital resource as water is not a political football? It is about people’s lives, the sustainability of their community and the wellbeing of the country.

I want to conclude with two points. First, I want to acknowledge the efforts of all Australians, especially Victorians and most particularly those in Chisholm, in reducing their water consumption. I know it has been a challenge, and their efforts have been extraordinary to say the least. Second, I want to congratulate the Victorian state government on taking responsible action now and having a long-term plan for water sustainability for future generations. They have given this issue the prominence, attention and action it deserves. It is a true pity that the federal government has not done the same; it continues to drag its feet.

Paterson Electorate: Centenary Medal Recipients

Mr BALDWIN (Paterson) (9.05 p.m.)—I rise tonight to recognise the Paterson Centenary Medal recipients. The Centenary Medal was created to recognise the achievements of members of the Australian community at the time of the Centenary of Federation, to honour persons who have contributed to Australian society or government. I will hold a presentation ceremony this Saturday to present the recipients with their medals.

The Paterson recipients are Lynne Allen-Brown AM, Barrington, for service to Australian society through St John’s Ambulance; Jeanette Antrum, Salamander Bay, for long and outstanding service with Meals on Wheels; Alan Cameron Archer, Paterson, for service to the Paterson Historical Society and for preserving natural and Aboriginal history;
Gabrielle Anna Barlow-Smith, Forster, for service to the Nabiac community; Clifford Barnett, Stroud, for service to the Stroud community; Loretta Fay Bartlett, Forster, for service to the community; Craig Baumann, Medowie, for outstanding service to the development of the region through membership on the local council; Harold Beresford Benson, Lemon Tree Passage, for community service; Kevin Nathaniel Black-Thornton, for service to youth; Peter Bloomfield, Nelsons Plains, for service to the Newcastle community through amateur theatre and charity; Shirley Bloomfield, Nelsons Plains, for service to Newcastle amateur theatre and community; William Charles Bobbins OAM, Raymond Terrace, for service to the community; Tim Bowden AM, Pacific Palms, for service as a local radio presenter and as a nationally recognised author; Henry Francis Boyle, Wallalong, for service to the history of the Lower Hunter Valley; Keith Gervase Campbell, Nelson Bay, for service to the promotion of Nelson Bay; Leslie Carter-Woodberry, for service to the sport of athletics in the Newcastle-Hunter region; Dr John Charles Clement, Smiths Lake, for long and outstanding service to health; Pauline Mary Clements, Paterson, for service to the community; Rex Thomas Coombes, Nelson Bay, for service to the community; Lorraine Crapp-Forster, for service to Australian society through the sport of swimming; James Patrick Dooley, Summer Hill, for outstanding service to the community; Royce Dorney, Markwell, for long and outstanding service as an employer in the region through the timber industry; Peter Doyle, Vacy, for service to the dairy industry and the scouting and guiding movements; Ann Denise Field, Forster, for service to the community of Nabiac; Robin Fisher, Pacific Palms, for services to palliative care; Elizabeth Mary Fisher, Pacific Palms, for services to palliative care; Margaret Ann Flannery, Dungog, for service to the community; Reginald Leslie Ford, Clarence Town, for service as Chief Custodian of Clarence Town Local History and Maritime Museum; Heath Wesley Francis OAM, Booral, for service to sport and youth; Brian Gilligan, Raymond Terrace, for service to the community through environmental education and conservation; Roscoe Graham-Taylor, Dungog, for service to Australian society through the advancement of social issues; Hilton Ross Grugeon, Berry Park, for outstanding service to local development and philanthropy; Gaye Rosemary Hart AM, Paterson, for service to Australian society through the Australian Council for Overseas Aid; Bryce Ernest Higgins, Tuncurry, for service to the community and to local history; Cynthia Hunter, Raymond Terrace, for service to the local history; Edward Sydney Ingram OAM, Hawks Nest, for heroism in defence of the nation and service to the local community; Jack Edward Ireland, Bulahdelah, for local and community service, including the Bulahdelah Nursing Home; Maureen Ann Kelly, North Arm Cove, for service to the community; Karlene Kiem, Beresfield, for service to sport through amateur swimming; Beatrice May MacKinnon, Forster, for service to art through the Great Lakes Art Society; Robert Brooker Maher AM, Paterson, for service to the Centenary of Federation celebrations; James Waters, Gloucester, for service to the Gloucester State Emergency Service Unit; Margaret Mason, Gloucester, for long service to the community as a councillor; Anne Lynette McDonald, Dungog, for outstanding service to the community through local government and aged care; Constance Irene McDonald, Hawks Nest, for service to the community of Hawks Nest; Rory Milne, Corlette, for service to the community of
Nelson Bay; Barbara Joan Musgrove, Lemon Tree Passage, for service to the community; Bessie Nurse, Raymond Terrace, for service to the Centenary of Federation celebrations; Robert Thomas Owen, Lemon Tree Passage, for service to the community; Mary Penny, Fingal Bay, for service to the community; Judith Pereira, Stroud, for service to the community, particularly through the Stroud brick-throwing committee; Peter John Phillipson, Fingal Bay, for service to the community; Glenys Marion Plowman, Raymond Terrace, for service to the Centenary of Federation celebrations; Colin Richard Reddel, Corlette, for service to the family festival to celebrate Anzac Day; Noel John Ridgeway, Tanilba Bay, for service to the community and the arts; Moira Saunderson, Raymond Terrace, for community service; Joseph Sepos, Allworth, for outstanding service to the Stroud-Allworthy region, particularly through transport; Victor John Sharman, Thornton, for service to the Indigenous veterans’ community; Hope Simpson, Karuah, for community service; Father Tony Stace, Forster, for service to reconciliation between Indigenous and non-Indigenous Australians; Barry Leonard Stonham, Tuncurry, for service to the Tuncurry community through sport and the environment; Wilfred John Thompson, Corlette, for service to the community; Peter Macquarie Toms OAM RFD, Medowie, for service as member for Maitland and through the Australian Defence Force; Leonard Keith Toms, Nelson Bay, for service to the community; Kenneth Ward-Harvey, Raymond Terrace, for service to the community; Councillor John Haydon Wearne AM, Bingara, for service to the Centenary of Federation celebrations; Robert William Wilkinson, Medowie, for service to the community; Tahn Woolmer, Tanilba Bay, for service to the Centenary of Federation celebrations as a youth envoy; June Wright, Failford, for service to the community through history; and the late Paul Downey, for services to the Booral and Stroud communities. I recommend these people as fine and outstanding Australians.

**Budget: Fuel Excise**

Mr WILKIE (Swan) (9.09 p.m.)—I wish to speak about measures in the 2003-04 budget, put forward by the Treasurer on 13 May. The particular proposal I refer to is the one that brings all current untaxed fuels into the excise and customs duty systems from 1 July 2008. These proposals fly in the face of the government’s subsidy program for the conversion of vehicles to LPG announced in May 1999. The Trebeck fuel taxation inquiry, announced by the Prime Minister on 1 March 2001, was asked to examine the existing structure of fuel taxation in Australia, including rebates, subsidies and grants. One of the issues identified in the Trebeck report was budget neutrality for all petroleum products. Essentially, the Trebeck report suggested the removal of the various excise exemptions and subsidies that influence the choice of fuel that people put into their vehicles. Because the measures would have dramatically increased the price of fuel, the recommendations of the report were judged to be too politically difficult to implement. The report was buried by the release of the 2002 budget papers and promptly forgotten.

Liquid petroleum gas accounts for about eight per cent of the fuel used for road transport each year. It would be nice to think that most people who buy LPG for their vehicles do so because it is a cleaner fuel and therefore better for the environment. In fact, it is probably more likely that they choose this fuel because it is approximately 38c a litre cheaper than petrol or diesel. Perth based
Westfarmers, a distributor of LPG autogas through its Kleenheat subsidiary, and Unigas joint venture in eastern Australia said that the proposed LPG excise changes would reduce the incentive to use autogas and would be unfortunate for the environment. This proposal to tax LPG will have implications for the LPG retail fuel industry, LPG conversion businesses and the taxi industry. The move will force an increase in taxi fares, with almost all of Australia’s taxi fleet currently operating on LPG. The reasoning behind this move is, as the Trebeck report suggested:

To promote efficiency in revenue raising from fuel excise, the fuel taxation system should be designed in a manner which minimises its impact on producer and consumer choices of fuel.

This, of course, is exactly what the Treasurer has moved to do by including LPG and other previously untaxed fuels in the taxation system. This decision to bring LPG into line with other fuels will be a considerable blow to the LPG industry by making LPG uncompetitive in price compared with ordinary petrol, as I stated previously.

Anyone who uses LPG knows that, at the moment, it is attractive as an alternative fuel only because it is so much cheaper at the pump. However, due to the lower efficiency of LPG in relation to litres consumed to kilometres travelled, if it were a similar price at the pump it would, in real terms, be an unrealistic option compared with unleaded petrol. My vehicle, for example, has duel fuel. I will get over 450 kilometres to a 90-litre tank of unleaded petrol compared with a maximum of 320 kilometres to a 90-litre tank of LPG. Gas from Western Australia’s North West Shelf project goes by pipeline directly from Karratha to Perth, where it is processed and the LPG is separated out and trucked to service stations. This is an environmentally better option than either petrol or diesel. It is a resource that is wholly owned by Australia and used by 550,000 drivers of LPG vehicles across the country. This action by the Treasurer will cause the demise of alternative fuels and create the loss of proven benefits such as lower greenhouse gas emissions and improved urban air quality.

This is yet another indirect tax from this highest taxing government in history. In my estimation this will yield approximately $7.05 billion over the next 10 years based on the government’s own figures. This, by the way, is only a conservative estimate. The reality, I believe, will be much higher. I say this because the Treasurer has not yet announced the final rate of excise on fuels but has said that it will be lower than the present rate of 38.143c per litre. However, he has also announced that, from January 2006, excise on petrol will be increased for two years by the amount needed to fund grant payments for producing or importing premium unleaded petrol with less than 50 parts per million of sulfur. The initial estimate for this increase in excise is that it will be around 0.06c per litre for petrol and 0.07c per litre for diesel. Interestingly enough, the Treasurer failed to announce this new tax on budget night and buried it in the budget papers. I reiterate that this is the highest taxing government in history. (Time expired)

Makin Electorate: Centenary Medal Recipients

Mrs DRAPER (Makin) (9.15 p.m.)—I rise to speak on the Centenary Medal recipients in Makin. At two recent ceremonies held in my electorate of Makin, I had the honour and the privilege to present 36 people with the Centenary Medal in recognition of their service to the community. The medal recipients came from all walks of life but shared something in common: a commitment to serving others and to making our community a better place to live. The recipients are as follows.
Mr John Paterson Bailey OAM was awarded his medal for service to the veterans community in South Australia. He is also the state president of the RSL in South Australia and my near neighbour, who lives just around the corner from me in Modbury Heights. Mrs Julie Cann received her medal for service to the public sector, particularly water resource management and protection. Mr Brian John Dallow and his wife, Mrs Ruth Margaret Dallow, received their medals for service to the community, particularly through Modbury Meals on Wheels and the Hackney Mission. Mr Roger Edmonds received a medal for his service to the Centenary of Federation celebrations. Mrs Kerry Michelle Forster was awarded her medal for service to the community, particularly through Neighbourhood Watch. Mr Robert Thomas Furner received his medal for service to National Parks and Wildlife through visitor management and infrastructure.

Other Makin recipients of the Centenary Medal were Mrs Lilian Rose Garrett, for service to the community through fundraising for Modbury Hospital and the Red Cross; Mr David Henry Haebich, for service to the community, particularly as a member of the South Australian Police; Ms Pamela Iris Karran-Thomas, for the establishment of an international students program at Banksia Park International High School; Mrs Mary Joan Lane, for her work through the Friends of Anstey Hill Recreation Park; Professor John Ralph McKellar ED, for service to the community through the state and national Alzheimer’s associations; Dr David Michael Phillips, for service to family policy and community education as Chairman of the Festival of Light; and Mrs Roslyn Helen Phillips, for service to family policy and community education through the Festival of Light.

Centenary medals were also awarded to Mrs Lesley Purdom AM, for service to the community, particularly as Mayor of the City of Tea Tree Gully, a position to which she was recently re-elected; Mrs Lois Evelyn Ramage, for service to the aged community and, in particular, the welfare of veterans; Mr David John Rathman AM PSM, for service to the welfare of Aboriginal people in South Australia; Mr Jack Watkins, for service to workplace health, particularly in the area of asbestos investigation and education; and Mr Alan Raymond Zwar, for service to local conservation and as a member of the Tea Tree Gully National Trust branch.

The list of these high achievers goes on. It includes Mrs Rita Cardozo, for service to the community, particularly through the Ingle Farm Junior Soccer Club; Mr Derrick William Copeland and Mrs Iris Copeland—another husband and wife team—for their long service as volunteer carers; Ms Patricia Mary Dean, for service to the community, particularly the disabled and disadvantaged; Mrs Nancy Kay Gower, for service to the community, particularly through the sport of basketball; Mr Douglas Victor Irving, for service to the community of the Playford District and our veterans; Ms Jana Isemonger, for service to the community, particularly through local community houses and the Smith Family; and Mrs Heather Elizabeth Kastelein, for service to the community, particularly through the Para Vista School council.

Further recipients include Mr Paul Thomas Madden, for service to the community and, in particular, through Baptist Community Services; Ms Lan Mong Nguyen, for service to the Vietnamese community, particularly through social and welfare services; Mr David Albert Norman, for service to the welfare of veterans and their families within the local area of Tea Tree Gully and South Australia; Mrs Patricia Joan St Clair-Dixon, for service as the first woman to be elected Mayor of the City of Salisbury and for ser-
vice to the community; Mrs Carole Taylor, for service to the community, particularly through the Para Hills West Soccer Club; Mr Patrick Darcy Walden, for service to the community, particularly through sporting and youth clubs; Mr Keith Rodney Walker, for service with the State Emergency Service, particularly the SES Dog Rescue Team—

(Time expired)

The Speaker—If the honourable member for Makin has a greater list, she may like to seek leave of the House to incorporate the list in Hansard.

Mrs Draper—Yes, I seek leave to incorporate the list in Hansard.

Leave granted.

The list read as follows—

Mrs Patricia Mary Walker, for service to the community, particularly in the area of community welfare

Mr David Waylen, for service to the community, particularly through sport in South Australia

I wish the House to note my appreciation to the City of Tea Tree Gully and the Para Hills Bowling Club which provided the venues for these two important presentation ceremonies. I particularly want to thank Brian and Isobel Gale, of the Para Hills Bowling Club, for their assistance.

Senators Grant Chapman and Jeannie Ferris participated in each ceremony and joined with me in congratulating the recipients and thanking them, on behalf of the community, for all the good work they have done and continue to do.

All recipients were proud to have received the Centenary Medal in recognition of their service and, on their behalf, I thank the Prime Minister for this worthy initiative.

Lowe Electorate: Solar Power Station

Mr Murphy (Lowe) (9.20 p.m.)—Mr Speaker, you will doubtlessly recall that I have been following the development of new Australian energy technologies for some time. I recently learned that a private company is working with a power station owner on a new commercial solar thermal electricity-generating plant to be attached to its existing fossil-fuelled power station. When complete in 2004, it will be the lowest cost solar power station in the world. This plant uses new technology, originally developed by Australian scientists, which should allow it to meet Commonwealth mandated renewable energy target requirements, well below the cost of wind electricity.

According to a CSIRO Division of Energy Technology’s report, Energy and transport sector outlook to 2020, published in September 2002, 52 per cent of Australia’s total carbon dioxide emissions are from fossil fuel power stations. Obviously, any development that can reduce fossil fuel consumption by electricity generators will have a considerable effect on Australia’s greenhouse gas emissions. That is why this new solar research is so important. The new technology is an initial commercial development response to MRET and to state emissions guidelines. The business model uses renewable energy certificates to offset higher costs in the first plants. The company is confident that, if MRET is developed further, with larger targets, we will see several large baseload solar plants built in Australia during this decade, using 100 per cent Australian technology.

I report this in light of the Victorian government’s call to substantially increase MRET from its present level of two per cent and the Australian Business Council for Sustainable Energy recommendation that the MRET be increased to 10 per cent by the year 2020. I believe that 10 per cent by 2020 is too low, and encourage the government to increase the MRET requirement by one per cent per annum so that by 2020 nearly 20 per cent of our electricity will be produced from renewable energy sources. This increasing target would require the construction of about one new 350-megawatt solar power
station each year and would allow for the gradual replacement of Australia’s ageing fossil fuel power stations and a very substantial reduction in carbon dioxide emissions.

In March this year, the Australian Petroleum Production and Exploration Association warned that Australia would find itself with severe oil and gas shortages in the next decade. In response, the federal Minister for Industry, Tourism and Resources, Mr Ian Macfarlane, dismissed claims that the government’s energy policy is inadequate. Responding to calls for more exploration for oil, the minister replied:

How we address that is the issue, and how we address it is with a well structured, factual, statistically based argument that I can then engage other members of the government on.

As the minister should know, the facts are quite simple: Australia’s oil reserves are declining rapidly and, unless we are very lucky, no amount of exploration will make up for the worldwide oil shortages that are predicted to begin within the next few years. Workers at Murdoch University produced a study in 1999 that warned that Australia faces shortages in supplies of diesel fuel as early as 2005.

Where are the contingency plans for this likely development of diesel and other petroleum fuel shortages? As far as I am aware, there are none and, considering the attitude of the federal resources minister, there will be no action until we are plunged into a crisis. Does the minister expect Australia’s oil supplies to last forever? We need to move toward a transport sector based upon renewable electricity and zero net pollution fuels. The government claims that Australia cannot afford to fund the development of new, more efficient energy technologies. However, the government recently found the funds for many other things, including a war in Iraq that cost, on the government’s own figures, $750 million. The government also found a net subsidy for road transport fuel of more than $2.2 billion per annum. In conclusion, it is not that Australia cannot afford to support the development of new energy technologies; it is just that Australia cannot afford these new technologies and this government at the same time.

**Robertson Electorate: Work for the Dole Project**

**Mr Lloyd (Robertson) (9.25 p.m.)—**
Back in April, I had the pleasure of visiting the Ironbark Reserve and the Waterfall Walking Trail at Mangrove Mountain, which has been constructed by an energetic group of Work for the Dole participants. After inspecting the site, I also had the privilege of presenting the participants with certificates at an awards function held at the Mangrove Mountain Community Hall. My special thanks go to the CWA ladies, who provided a magnificent lunch for us. At that awards ceremony, there was an address given by Mrs Margaret Pontifex from Mangrove Mountain, who is a community leader in the area. I was so impressed by the address I asked her if I could have a copy of it, and tonight I would like to read some of it into Hansard...

... ended up involved in this project purely by accident, coupled with my strong sense of community and desire to find out about things. It all began when Paul and Ian from Wesley turned up at a meeting and said they were establishing a Work for the Dole team and needed jobs for them. Everyone said what a great idea and looked at me. I had previously got roped into supervising people doing community service projects to pay out fines. At this stage I had no idea what was involved but knew there were a lot of things needing doing and there was no money or enough hands!! Hence I made a list.

... I believed if the W.F.D participants could learn some skills and collect some of these other good qualities the project was a winner and worth my efforts. Of course if the participants got enough

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**14970 HOUSE OF REPRESENTATIVES**
**Monday, 26 May 2003**

**CHAMBER**
skills etc to land a job well, that was better than a lottery win.

The small amount of contact I have had has shown the project can (if properly run and supervised) be much better than I had hoped.

It has been the best thing that has happened to our community. We have got jobs done which have been urgent for 50 years. We just couldn’t have afforded the dollars or the time and people power to achieve half. Thank you so much to all the people who worked on our Mountain projects. You have saved us so many scarce dollars in things getting neglected being done. You have boosted a small community which is suffering the after effects of two very serious bureaucratic bungles in 1994 and 1999.

Thank you and congratulations. I know you have achieved much, in skills, team spirit, a sense of community, giving of your time and talents, self worth, punctuality, responsibility etc.

Now to the powers that be. Don’t let Mangrove lose the team. We need them as much as they need our projects. We need to, at minimum, see what’s been achieved maintained. This scheme must continue and expand for the benefit of all Australians. We can’t afford otherwise. Please invest in properly monitored, organised and run W.F.D schemes. They are much better value than the totally dependent non achieving social security system we all suffer.

This is an example of how successful the Work for the Dole projects have been. The Work for the Dole scheme was not supported by the Labor opposition but is giving much back to many small communities throughout Australia and is also giving a great deal to the participants.

All the participants that I spoke to on the day of the presentation of their certificates were supportive of the scheme. They said that it had achieved a great deal for them. They know that they have given back to the community a valuable walking trail which had been lost because it had been overgrown by lantana and other weeds and could not be used by the community. Now it is a wonderful walking trail that goes down through the valley to a waterfall and picnic area and it will be able to be enjoyed by the community once again. These people have learnt the skills Margaret Pontifex mentioned in her speech—the skills of punctuality and of workmanship. They have pride in themselves and many of them have gone on to obtain full-time or casual work.

This is just one example of the literally hundreds of Work for the Dole schemes that have been a great success throughout our community on the Central Coast, and I know that they have been a great success throughout many other communities in Australia. This scheme is something that I am very proud to be associated with. The Howard government introduced this scheme, which is giving to our communities and giving to those that are unemployed the skills that they need to obtain permanent or casual work.

*House adjourned at 9.30 p.m.*

**NOTICES**

The following notices were given:

**Mr Crean** to present a bill for an act to amend the Criminal Code Act 1995 to identify the Hezbollah External Terrorist Organisation as a terrorist organisation, and for related purposes.

**Mr Cadman** to move:

That this House:

1. commends the Israeli Cabinet for its decision to take positive steps for the resolution of conflict in the Middle East, including the adoption of the Road Map which is:
   - Phase 1 (to May 2003): End of terrorism, normalisation of Palestinian life and Palestinian political reform; Israeli withdrawal and end of settlement activity; Palestinian elections;
   - Phase 2 (June-Dec 2003): Creation of an independent Palestinian state; international conference and international monitoring of compliance with roadmap;
   - Phase 3 (2004-2005): Second international conference; permanent status agreement and
end of conflict; agreement on final borders, Jerusalem, refugees and settlements; Arab states to agree to peace deals with Israel; and (2) calls on all parties involved in the conflict to emulate this example and move forward to a rapid settlement.
QUESTIONS ON NOTICE

The following answers to questions were circulated:

Australian Taxation Office

(Question No. 92)

Mr Kelvin Thomson asked the Treasurer, upon notice, on 13 February 2002:

(1) For how many of its staff has the Australian Taxation Office (ATO) provided GST training.

(2) How many of those staff have subsequently left the ATO, and how many of them left within six weeks of completing the training course.

(3) How many staff left the ATO in (a) 1998-99, (b) 1999-2000 and (c) 2000-2001.

(4) What will be the impact of these departures on the time taken to process taxation returns.

(5) Have staff been transferred out of the Large Business and International business line; if so, how many.

(6) What has been the cost of outsourcing the information technology function to EDS in each financial year since this first occurred.

(7) What percentage of the ATO budget was allocated to information technology in (a) 2000-2001, (b) 1999-2000, (c) 1998-99, (d) 1997-98 and (e) 1996-97.

(8) Has the ATO given incorrect GST registration numbers to businesses registering for the GST; if so, (a) on how many occasions, (b) what was the reason for incorrect registration numbers being issued and (c) will businesses in this situation who have printed letterheads, replied to questionnaires and who will incur significant expense in rectifying these errors be offered compensation by the ATO or the Government for expenses incurred as a result.

Mr Costello—The Minister for Revenue and Assistant Treasurer has provided the following answer to the honourable member’s question:

(1) All staff recruited to GST have received induction and technical training appropriate to their job. Development and training programs continue to be provided to GST staff on an on-going basis. Other staff in the ATO receive GST training on a “needs” basis to assist them in performing their work.

(2) The number of staff who left immediately following their induction and technical training would form a small proportion of GST’s overall low staff turnover rate of approximately 4%. The number of staff recruited to GST who left the ATO during 1999-2000 was 133, 2000-2001 was 183 and 2001-2002 was 346.

(3) (a) 1,225, (b) 869, (c) 755

(4) The ATO does not expect these departures to have an impact on the time taken to process taxation returns. The ATO has arrangements in place to ensure that sufficient staff are available to process taxation returns within the service standards set out in the Taxpayers’ Charter.

(5) There are always movements between business lines to meet work flow demands and staff preferences.

(6) EDS Australia assumed responsibility for providing the ATO with information technology and telecommunications services from 24 June 1999. The ATO has outlaid the following amounts to EDS for the provision of information technology and telecommunications services for the financial years shown:

- $142.7 million for the period 1 July 1999 to 30 June 2000;
- $197.7 million for the period 1 July 2000 to 30 June 2001;
$176 million for the period 1 July 2001 to 30 June 2002;
$85 million for the period 1 July 2002 to 30 December 2002.

(7) The budget allocation to information technology as a percentage of the total ATO budget for:
(a) the financial year 2000-2001 was 15.49%;
(b) the financial year 1999-2000 was 15%;
(c) the financial year 1998-99 was 15.7%;
The above figures for 2000-01, 1999-00 and 1998-99 were influenced by preparation for A New Tax System.
(d) the financial year 1997-98 was 11.7%; and
(e) the financial year 1996-97 was 9%, of the ATO budget.

In relation to (7), the information technology funding allocation includes applications development, support and maintenance; EDS-supplied services; and other functions that were retained in-house, such as Data Capture, IT Architecture, IT Security and IT Training. The percentages do not include IT-related functions performed outside the ATO Technology Line, such as other Business Line-developed applications.

(8) (a) The number of incorrect Australian Business Numbers (ABN) issued was 8,557 as at 10 February 2003. This is 0.2% of a total of 4.3 million ABNs issued – with 4.08 million ABNs active at the end of February 2003. Of the incorrect ABNs, only 1,791 were brought to the attention of the ATO by businesses. All others were identified through quality activities conducted by the ATO to ensure the integrity of the register.

(b) Incorrect numbers issued as a result of discrepancies between data held by the ATO and the Australian Securities and Investments Commissioner (ASIC) for the companies concerned. These discrepancies were caused by:
• businesses quoting incorrect Australian Company Number (ACN) information to the ATO at the time of registering, eg valid ACN of one company quoted for another, or numbers transposed that still qualified as a valid ACN; and
• incorrect data held by the ATO.

(c) The ATO administers a compensation scheme under the Taxpayers’ Charter which offers compensation to entities that incur additional costs as a result of acting on incorrect advice provided by the ATO. Measures have been taken to advise all affected clients of their rights for compensation by incorporating this advice in the Notifications that issued with the replaced ABNs.

Australian Taxation Office: Superannuation Guarantee Contributions
(Question No. 637)

Ms Jackson asked the Treasurer, upon notice, on 19 August 2002:

(1) What mechanisms and processes are in place to alert employees to the fact that they are being underpaid their superannuation guarantee contributions by their employer, as stipulated in the Superannuation Guarantee (Administration) Act.

(2) What mechanisms does the Australian Taxation Office have in place to check that employers are paying their superannuation guarantee contributions (SGC) as stipulated in the Act.

(3) Why is there no requirement for employers to report all SGCs on employee payslips.

(4) Is the Minister aware that if an employer does not pay an employee’s SGC monthly, that employee may not be covered by the death and disability insurance offered by his or her superannuation fund.
(5) Is the Minister also aware that through the delay to introduce the requirement for employers to pay SGCs quarterly, hundreds of thousands of Australian workers will miss out on significant superannuation monies, which would have accrued through compound interest.

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

(1) The ATO informs employees of their SG entitlements through a range of education and communication activities, including phone, print, radio, television and the internet.

(2) The ATO has a comprehensive compliance strategy for SG. This involves a mixture of audit and education/communication activities, including:

- Investigation of all complaints made by employees;
- Investigation of complaints made by superannuation providers and other members of the community;
- Investigation of employers identified as ‘at risk’ from other ATO activities, such as debt collection and field visits/audits; and
- Investigation of employers identified as ‘at risk’ from analysis of data available to the ATO.

(3) The Superannuation Guarantee (Administration) Act 1992 does not require employers to do so. The Taxation Laws Amendment (Superannuation) Act (No 2) 2002 amended the Superannuation Guarantee (Administration) Act 1992 requiring employers from 1 July 2003 to report to an employee in relation to the amount of contribution/s paid to a Superannuation Fund. The Taxation Laws Amendment (Superannuation) Bill (No 2) 2002 was introduced on 16 May 2002 and received Royal Assent on 29 June 2002.

(4) In framing the SG law, consideration was given to a range of factors, including the objectives of making superannuation safer and ensuring fairness between employees, while at the same time not imposing significant additional costs on employers. Taking all factors into account, the Government considered that a quarterly SG regime provides the best overall outcome.

(5) In introducing the quarterly SG regime, consideration was given to a range of factors, including the benefits to employees and the need for business to change systems to comply with the new arrangements. Taking all factors into account, the Government considered that a 1 July 2003 start date provides the best overall outcome.

Aviation: Passenger Ticket Levy
(Question No. 1038)

Mr Martin Ferguson asked the Minister for Transport and Regional Services, upon notice, on 22 October 2002:

(1) For each of the last ten financial years what was the cost at (a) 1 July and (b) 1 January of each year of fees and taxes payable on a return airline ticket between (a) Melbourne and Sydney, (b) Brisbane and Sydney, (c) Melbourne and Brisbane, (d) Perth and Sydney, (e) Adelaide and Melbourne, (f) Adelaide and Sydney, (g) Cairns and Sydney, (h) Cairns and Brisbane and (i) Darwin and Sydney.

(2) For each instance, how did these fees and taxes compare to the cost of a full economy Qantas fare for that route.

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

The fees and taxes on which you have sought information are taken to comprise the Goods and Services Tax (GST), Air Passenger Ticket Levy, and where applicable the aircraft noise levies. Qantas has now investigated this matter and has advised the Department that it does not have systemised records of the nature you requested and is therefore unable to provide the data. It would also be too resource intensive to have the Department research the information.
An illustrative presentation is, however, provided below for a one way Melbourne – Sydney Qantas B737-300 economy class trip.

**Government Charges for a Qantas 737-300 full economy fare Melbourne to Sydney one-way flight as at 1 July 2002**

<table>
<thead>
<tr>
<th>Summary of Charges for a Qantas 737-300 Melbourne to Sydney one-way flight</th>
<th>Per Passenger ($)</th>
<th>% of Qantas fare ¹</th>
</tr>
</thead>
<tbody>
<tr>
<td>Taxation</td>
<td></td>
<td></td>
</tr>
<tr>
<td>GST</td>
<td>29.10</td>
<td>9.1%</td>
</tr>
<tr>
<td>Commonwealth program charges</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Air Passenger Ticket Levy</td>
<td>10.00</td>
<td>3.1%</td>
</tr>
<tr>
<td>Noise Levy</td>
<td>3.31</td>
<td>1.0%</td>
</tr>
<tr>
<td>TOTAL CHARGES</td>
<td>$42.41</td>
<td>13.2%</td>
</tr>
</tbody>
</table>

¹ Full economy Qantas fare, one way including GST of $320.10.

**Taxation: Bankruptcy Laws**

(Question No. 1416)

Mr Murphy asked the Attorney-General, upon notice, on 6 February 2003:

(1) Is he able to say what duties a legal practitioner has to the law, within the context of a legal practitioner’s responsibilities as a model citizen adhering to the law both in fact as well as in principle; if so, what are those duties; if not, why not.

(2) Is he able to say whether the conduct of the type being exhibited in the legal profession of legal practitioners such as the cases of (a) well-known barrister, Mr Stephen Archer, who is scheduled to again come before the Federal Court Sydney Registry for full public examination on 19-20 February 2003 and (b) Mr John Cummins QC who did not lodge a tax return for 45 years and whose case was handed down in the Federal Court on 5 December 2002, fulfils a minimum standard of conduct acceptable such as to maintain the good reputation and public confidence in the legal profession; if so, why; if not, why not.

(3) What action will he take to demonstrate to the people of Australia that the Howard Government is serious in cracking down on tax rorts employed by members of the legal profession.

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

(1) A legal practitioner has the same duty that all citizens have to comply with the law. In addition, legal practitioners have obligations to the courts in their capacity as officers of the court. All States and Territories have codes of conduct for legal practitioners. The enforcement of those standards of conduct is a matter for the relevant State or Territory legal professional disciplinary body and Supreme Court.

(2) (a) This is a matter for the NSW Bar Association as it administers the code of conduct for Barristers in NSW. I understand that it has dealt with this matter.

(b) The relevant barrister’s conduct in this case is also a matter for the NSW Bar Association.

(3) The Government has introduced changes to bankruptcy law aimed at preventing people using bankruptcy in an improper way. Amendments to the Bankruptcy Act 1966 contained in the Bankruptcy Legislation Amendment Act 2002 will allow Official Receivers to reject a debtor’s petition where it appears the debtor can afford to pay their debts and the petition is an abuse of...
the bankruptcy system. Other changes include strengthening of the trustee’s powers to object to the discharge from bankruptcy of uncooperative bankrupts after the standard three year bankruptcy period.

In relation to the issue of high income earners using bankruptcy to avoid paying tax, following consideration of a report by an agency taskforce, the Government released an issues paper on possible further changes to bankruptcy and family law to address these issues. The issues paper was open for comment until 20 February 2003. Comments received are being considered and will assist the Government in finalising its approach to this issue. The Government has also taken a range of other measures to deal with this issue including:

- reviewing penalties under the Taxation Administration Act;
- examining options to strengthen bankruptcy law to help bankruptcy trustees to recover assets, including those not in the bankrupt’s name but acquired using their income.
- departments and agencies have been asked to take steps not to brief counsel who have used insolvency as a means of avoiding tax.

**Taxation: Bankruptcy Laws**

(Question No. 1417)

Mr Murphy asked the Attorney-General, upon notice, on 6 February 2003:

(1) Has he been made aware that, in addition to the cases of Sydney barristers Mr Stephen Archer and Mr John Cummins QC, there are other members of the legal profession who are being pursued by the Tax Commissioner for serial bankruptcy or other tax rorts; if so, (a) how many cases are there and (b) what can he do to assist the Treasurer and the Government stamp out rorting of the tax system by the legal profession.

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

(1) (a) I am aware of various reports in the media that the taxation affairs of a number of members of the legal profession are being investigated and I have been advised in general terms of the investigations being pursued by the Commissioner for Taxation. However, because secrecy provisions in taxation legislation oblige the Commissioner for Taxation to protect the confidentiality of taxpayer information I am not aware of the precise number or details of legal professionals who are being investigated

(b) See answer to Question No. 1465 (2).

**Australian Taxation Office: Penalty Tax**

(Question No. 1423)

Dr Emerson asked the Treasurer, upon notice, on 6 February 2003:

(1) Did the Australian Taxation Office (ATO) apply a 50% penalty tax to the GST transactions of the Queensland Division of the Liberal Party as a result of its audit announced by the Prime Minister in August 2001.

(2) Is he aware that the ATO has told a Senate Estimates committee that a penalty tax is applied when the taxpayer has been reckless as to the operation of the tax law or has been engaged in a tax avoidance scheme.

(3) In the light of the imposition of a penalty tax, does he stand by his statement of 24 August 2001 that this was only an error or a mistake, or does he now concede the Liberal Party has been caught in a tax avoidance scheme.

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

(1) to (3) I refer the member to the 23 November 2001 press release from the Federal Secretariat of the Liberal Party of Australia.
Office of the Employment Advocate  
(Question No. 1452)

Ms Jackson asked the Minister for Employment and Workplace Relations, upon notice, on 12 February 2003:

(1) What is the average time taken by the Office of the Employment Advocate (OEA) to provide a response to a (a) written request from an employee for the expiry date of the Australian Workplace Agreement (AWA) under which he/she is employed and (b) Notice of AWA Termination from an employee.

(2) Has the OEA received requests for AWA expiry dates from employees of Burswood Resort Management Ltd. since 15 November 2002; if so, (a) how many, (b) when did the OEA receive each request and (c) on what date was a response given to each request.

(3) Has the OEA received AWA termination notices from employees of Burswood Resort Management Ltd. since 15 November 2002; if so, (a) how many, (b) when did the OEA receive each notice, (c) on what date was a response given to each request, (d) which AWAs have been terminated and (e) what was the termination date of each AWA.

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

(1) (a) The average time taken to respond to a request from an employee for the nominal expiry date of their AWA is approximately 10 working days from receipt of the request.

(b) The average time taken to issue Termination Notices is 20 working days from receipt of the request, provided it meets the requirements set forth in section 170VM(6) of the Workplace Relations Act 1996.

(2) The Workplace Relations Act 1996 Section 83BS provides that the Employment Advocate and those officers who assist him must not disclose information that will identify a party to an AWA except in the limited circumstances set out in Section 83BS(2). As those exceptions do not apply in this case neither the Employment Advocate nor officers who assist him can provide information to the Minister in relation to these matters.

(3) The Workplace Relations Act 1996 Section 83BS provides that the Employment Advocate and those officers who assist him must not disclose information that will identify a party to an AWA except in the limited circumstances set out in Section 83BS(2). As those exceptions do not apply in this case neither the Employment Advocate nor officers who assist him can provide information to the Minister in relation to these matters.

Taxation: Income Tax  
(Question No. 1460)

Mr Murphy asked the Treasurer, upon notice, on 12 February 2003:

With regard to my question No. 43, which first appeared on the Notice Paper on 13 February 2002, did he have any discussion of that question with the Commissioner for Taxation; if so, on what dates and what was Mr Carmody’s advice to him.

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

My answer to question No. 43 was based on information provided by the Australian Taxation Office. My office routinely discusses and seeks responses from all portfolio agencies to questions on notice from Members of Parliament. It is not the practice of Governments to disclose advice received from portfolio agencies.
Taxation: Bankruptcy Laws
(Question No. 1461)

Mr Murphy asked the Attorney-General, upon notice, on 12 February 2003:

(1) Did he issue a news release on 28 February 2001 titled “Attorneys-General to consider compulsory reporting of bankruptcy for barristers”.

(2) Did he say in that news release that he intended to discuss with State and Territory Ministers options for dealing with barristers who flout the tax system, such as by making it compulsory for barristers to report bankruptcy or suspending or withdrawing the right of those barristers to practise law in Australia.

(3) When, where and with whom and on what dates did he have discussions with the State and Territory Ministers in relation to options for dealing with barristers who abuse the tax system.

(4) What is the outcome of his discussions over the past two years with regard to what the Howard Government intends to do about members of the legal profession, particularly barristers, who are serial rotters of the taxation system.

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

(1) Yes.

(2) Yes.

(3) I coordinated the discussion of this issue at the meetings of the Standing Committee of Attorneys-General (SCAG) in Adelaide on 23 March 2001 and Darwin on 25 July 2001. In addition to myself, the Adelaide meeting was attended by the Attorneys-General of South Australia (Chair), NSW, Tasmania, Western Australia, Queensland, the ACT and Norfolk Island. The Darwin meeting was attended by myself and the Attorneys-General of the Northern Territory (Chair), the ACT, NSW, Queensland, South Australia (for part of meeting only), Tasmania, Victoria, Western Australia, and Norfolk Island.

(4) At the Adelaide meeting SCAG Ministers agreed that a working group of Commonwealth, State and Territory officers be established to draft an Officers’ paper with recommendations for prompt action. The Officers Paper was considered by Ministers at their subsequent meeting in Darwin on 25 July 2001.

At the Darwin meeting Ministers agreed that each jurisdiction would consider amending its law so that:

- Lawyers are required to notify their professional association of events involving insolvency and of findings of guilt for indictable offences and tax offences;
- The disciplinary provisions that apply in relation to charges of ‘professional misconduct’ are strengthened. The definition of ‘professional misconduct’ would be amended to remove any doubt that conduct of a practitioner involving insolvency or conviction for an offence is professional misconduct if the conduct or conviction would justify a finding that the practitioner is not of good fame and character or is not a fit and proper person to remain on the roll of practitioners; and
- The professional association is required to notify the Legal Ombudsman (or other equivalent body overseeing the legal profession), or the Attorney-General or both, of all cases falling within the new procedures, and of the decision made or action taken by the professional association.

The development and implementation of such laws is a matter that should be referred to the relevant State or Territory Attorney-General.
Mr Murphy asked the Attorney-General, upon notice, on 12 February 2003:

Has he written to the New South Wales Bar Association recommending that the bankrupt barristers identified by Paul Barry in his articles published in *The Sydney Morning Herald* on 26 and 27 February 2001, be struck off for malpractice; if so, when; if not, why not.

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

No. The regulation of the legal profession is a responsibility of State and Territory Governments. As indicated in the answer to Question on Notice 1461, I coordinated the discussion of this matter by State and Territory Attorneys-General at the meetings of the Standing Committee of Attorneys-General at Adelaide in March 2001 and Darwin in July 2001.

Mr Murphy asked the Attorney-General, upon notice, on 12 February 2003:

Has he recommended to his Cabinet colleagues that the Government should amend section 16 of the Income Tax Assessment Act 1936 to allow the Taxation Commissioner to notify professional bodies like the Law Society and Bar Associations of the activities of serial bankrupt members of the legal profession; if so, when; if not, why not.

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

No. Under the Administrative Arrangements Order the responsibility for considering amendments to the Income Tax Assessment Act 1936 (ITAA) is primarily a matter for the Treasurer, not the Attorney-General.

Mr Murphy asked the Attorney-General, upon notice, on 12 February 2003:

1. Did he issue a joint news release with the Assistant Treasurer on 9 March 2001 titled “Bankruptcy and Taxation Obligations” stating that procedures would be introduced to ensure that Commonwealth Departments and agencies do not engage barristers who use bankruptcy as a means of avoiding tax.

2. What procedures have been introduced over the past 23 months to ensure that Commonwealth Departments and agencies do not engage barristers who use bankruptcy as a means of avoiding tax.

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

1. Yes.

2. On 21 March 2001 I wrote to each of my Cabinet colleagues to advise that Commonwealth Departments and agencies should take steps not to brief counsel who have become insolvent to avoid their taxation obligations, and that agencies should contact the Office of Legal Services Coordination (OLSC) in the Attorney-General’s Department if they have any questions about the issue.

Since that date agencies have been required to take steps to ensure that they do not brief counsel in those circumstances. OLSC advises Departments and agencies to conduct a search of the National Personal Insolvency Index (NPII) in cases where they are briefing counsel and are uncertain if counsel is or has been insolvent. OLSC also advises Departments and agencies on the further inquiries that should be made in the event that an NPII search produces an apparently positive result.
More generally, the initiatives that the Government has undertaken to deal with this issue are mentioned in QoN 1416 and 1461.

**Taxation: Bankruptcy Laws**  
*(Question No. 1465)*

Mr Murphy asked the Attorney-General, upon notice, on 12 February 2003:

1. Did he issue a joint news release with the Assistant Treasurer on 22 March 2001 entitled “Bankrupt Lawyers” advising that a taskforce had been established to determine whether any changes are needed to the bankruptcy and taxation laws to ensure that people are prevented from using bankruptcy as a means of avoiding their tax obligations.

2. What action is the Government taking to strengthen the law to stop serial offenders, particularly barristers, from being made bankrupt.

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

1. Yes.

2. Measures being taken by the Government to crack down on high income earners who try to avoid their obligations to pay income tax were announced in a joint press release the Assistant Treasurer and I issued on 30 August 2002.

   Also, suggested changes to bankruptcy and family law are flagged in an issues paper released in November 2002 by the Insolvency and Trustee Service Australia (ITSA) and the Attorney-General’s Department (AGD). The paper was open for comment from the community and professional bodies until 20 February 2003. The comments received are currently being considered by ITSA and AGD to inform the Government’s decision on the appropriate action to take.

   The Government has also moved amendments to the Bankruptcy Act (which commenced in May 2003) to strengthen its operation. In particular the amendments:

   - provide a new discretion for Official Receivers to reject a debtor’s petition where it appears the debtor can afford to pay their debts and the petition is an abuse of the bankruptcy system; and

   - strengthen the trustee’s powers to object to the discharge from bankruptcy of uncooperative bankrupts after the standard three year bankruptcy period.

**Taxation: Bankruptcy Laws**  
*(Question No. 1466)*

Mr Murphy asked the Attorney-General, upon notice, on 12 February 2003:

1. Did he issue a News Release on 25 July 2001 titled “Getting tough on lawyers who avoid tax”.

2. Following the agreement reached by the Standing Committee of Attorneys-General meeting in Darwin on 25 July 2001 to clamp down on barristers who declare themselves bankrupt in order to avoid their tax obligations, what has he done to ensure that legal practitioners who become insolvent or bankrupt will be compelled to advise their professional association of their situation.

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

1. Yes.

2. See the answer to Question on Notice number 1461.

**Employment and Workplace Relations: Program Funding**  
*(Question No. 1488)*

Ms Grierson asked the Minister for Employment and Workplace Relations, upon notice, on 13 February 2003:
(1) Does the Minister’s Department administer any Commonwealth funded programs for which community organisations, businesses or individuals in the electoral division of Newcastle can apply for funding; if so, what are the programs.

(2) Does the Minister’s Department advertise these funding opportunities; if so, (a) what print or other media outlets have been used for the advertising of each of these programs and (b) were these paid advertisements.

(3) With respect to each of the Commonwealth funded programs referred to in part (1), (a) what is its purpose and (b) who is responsible for allocating funds.

(4) With respect to each of the Commonwealth funded programs referred to in part (1), how many (a) community organisations, (b) businesses or (c) individuals in the electoral division of Newcastle received funding in 2001 and 2002.


(6) What is the name and address of each recipient.

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

(1) Yes the department has provided funded programmes for which community organisations, businesses or individuals in the electoral division of Newcastle can apply for funding. These programmes are the:

- Indigenous Employment Programme,
- Indigenous Small Business Fund;
- Employee Entitlements Support Scheme (EESS);
- General Employee Entitlements & Redundancy Scheme (GEERS);
- Special Employee Entitlements Scheme for Ansett group employees (SEESA)
- Work for the Dole

Q2 (a) and (b) The Indigenous Employment Policy and specific elements under the Policy including Wage Assistance, the National Indigenous Cadetship Project and Indigenous Community Volunteers, have primarily been advertised by the department in the print media. Paid advertising has been undertaken in major metropolitan and regional newspapers, industry bulletins such as Australian Transport News, Australian Cane Growers Monthly and Australian Mining and Indigenous newspapers and magazines including the National Indigenous Times, Koori Mail, Deadly Vibe, Black Business and Indivine. The Indigenous Employment Policy and programmes are also featured on the www.workplace.gov.au Internet site. Brochures and other promotional material are also produced.

The EESS, GEERS and SEESA Schemes are all advertised on the departmental web-site. The Special Employee Entitlements Scheme for Ansett group employees (SEESA) has paid for advertisements in a national newspaper (Daily Telegraph (20 September 2001)) and quarterly in The Australian Insolvency Journal.

The department has contracted Community Work Coordinators (CWCs) to develop and manage Work for the Dole activities. CWCs employ a range of methods to encourage community and government organisations to sponsor Work for the Dole places. For the purpose of advertising specialised drought force activities under Work for the Dole, in response to the drought, the department placed advertisements in the regional press. The cost of advertising in the Newcastle Herald during December 2002, January 2003 and February 2003 was $3,200.

(3) (a) and (b) The purpose of the Indigenous Employment Policy is to improve the employment circumstances and future prospects of Australian Indigenous peoples by generating sustainable em-
ployment opportunities. The department’s national and state offices allocate funds under the Indigenous Employment Policy following assessment of applications and project proposals.

EESS provides safety-net payments for eligible claimants who have had their employment terminated between 1 January 2000 and 11 September 2001 due to their employer’s insolvency or bankruptcy and are owed outstanding employee entitlements. GEERS provides safety-net payments for eligible claimants who have had their employment terminated on or after 12 September 2001 due to their employer’s insolvency or bankruptcy and are owed outstanding employee entitlements. SEESA provides a safety net arrangement for staff of the Ansett group of companies who were terminated on or after 12 September 2001, due to their employer’s insolvency. The Government is responsible for allocating funds for EESS, GEERS and SEESA schemes.

The objectives of the Work for the Dole programme are to develop the work habits of eligible job seekers, to involve local communities in activities that provide for the unemployed and help the unemployed at the end of the activities, and to provide communities with activities that are of value to those communities. CWCs recommend activities to the department for approval.

(4) (a), (b) and (c) Refer to Tables A and B (attached) for details of community organisations, businesses or individuals that received funding in the electoral division of Newcastle in 2001 and 2002. All figures for funding are provided for financial years and not calendar years. Tables A and B must be read in conjunction with Attachment 1 as it includes important information relating to the derivation of the data.

(5) Refer to Tables A and B (attached) for details of the total funding received by each programme in the electoral division of Newcastle in 2001 and 2002. All figures for funding are provided for financial years and not calendar years. Tables A and B must be read in conjunction with Attachment 1 as it includes important information relating to the derivation of the data.

(6) Names and addresses of individual recipients cannot be supplied due to privacy considerations. The names and addresses of CWCs in 2001 and 2002 are attached. The names and addresses of community organisations that sponsored Work for the Dole activities in 2001 and 2002 are also attached. Not-for-profit CWCs may also operate as sponsors of Work for the Dole activities. Note that this reply excludes organisations in the electoral division of Newcastle which have been contracted to provide employment services by the Commonwealth (ie Job Network services, New Enterprise Incentive Scheme, Transition to Work services and, until 30 June 2002, Community Support Programme services).

The following disclaimer statements must be read in conjunction with Tables A and B

Indigenous Employment Programme (IEP)

Offered under the umbrella of the Indigenous Employment Policy, the Indigenous Employment Programmes were implemented progressively from 1 July 1999 and include: Structured Training and Employment Projects (which replaced the former Training for Aboriginal and Torres Strait Islander Programme), Wage Assistance, the Community Development Employment Project Placement Incentive, the Corporate Leaders for Indigenous Employment Project, the National Indigenous Cadetship Programme and Indigenous Community Volunteers (previously the ‘Voluntary Service to Indigenous Communities Foundation’). Services are also offered to Indigenous job seekers through the Indigenous Small Business Fund, Job Network services and Indigenous Employment Centres.

Structured Training and Employment Project (STEP);
Corporate Leaders for Indigenous Employment Project (CLIEP); and
Training for Aboriginal and Torres Strait Islander Programme (TAP).

The expenditure figures for these programmes relate to claims for payment by contracted organisations. The organisation in question may be the employer and/or trainer of the job seeker or may be an intermediary such as a Group Training Company, a Job Network Member or an alternative industry or com-
munity based organisation. Expenditure has been allocated to electorates on the basis of the postal address of the contracted organisation that received funding. In many cases this will be the address of a head office of the contracted organisation and does not necessarily reflect the location of actual employment or training. Figures provided reflect actual expenditure excluding GST. These figures are subject to change due to lags in data entry and ongoing systems reconciliations.

**Wage Assistance (WA); National Indigenous Cadetship Project (NICP); and Direct Assistance.**

The expenditure figures for these programmes relate to claims for payment by contracted employers. Data is presented on the grounds that the address of the contracted employer that received funding was in the specified electorate. In many cases this will be the postal address of the contracted employer and does not necessarily reflect the location of actual employment. Figures provided reflect actual expenditure exclusive of GST. These figures are subject to change due to lags in data entry and ongoing systems reconciliations.

**Community Development Employment Project Placement Incentive (CDEP PI); and Community Development Employment Project Work Preparation and Employment Trial (CDEP Trial).**

The expenditure figures for these programmes relate to claims for payment by contracted Community Development Employment Project (CDEP) organisations. Expenditure has been allocated to electorates on the basis of the postal address of the CDEP organisation providing the services. However, this address does not necessarily reflect the location of actual employment. Figures reflect actual GST exclusive expenditure. These figures are subject to change due to lags in data entry and ongoing systems reconciliations.

**Indigenous Small Business Fund * **

The system used to collect the data in the spreadsheet is not a payment system. As such, financial allocation information is recorded on a whole of project basis and not necessarily by financial year. For projects that cross two financial years, 50% of funding has been apportioned to the first year and the balance to the second year. Figures are based on allocated funding, not actual expenditure.

**Employee Entitlements Support Scheme (EESS), General Employee Entitlements and Redundancy Scheme (GEERS)**

Recipient electorates are determined by claimants’ postcode where available. Some postcodes cover more than one electorate and the information contained shows all relevant data for each electorate. Due to postcodes covering multiple electorates, some payments to recipients will be assigned alphabetically to an electorate. This may result in a minor statistical anomaly. Funding figures are based on actual expenditure.

**Special Employee Entitlement Scheme for Ansett (SEESA)**

Recipient electorates are determined by claimants’ postcode where available. Some postcodes cover more than one electorate and the information contained shows all relevant data for each electorate. Due to postcodes covering multiple electorates, some payments to recipients will be assigned alphabetically to an electorate. This may result in a minor statistical anomaly. Funding figures are based on actual expenditure.

**Notes.**

- Nationally there were 28 recipients of SEESA funds ($579,127.18) whose address details did not contain a postcode and as such could not be attributed to an electorate.
- Also there were 105 recipients of SEESA funds ($2,831,862.05) whose postcodes are not listed and can not be attributed to an electorate.
This amounts to 133 recipients in total with a gross total SEESA entitlement of $3,410,989.23 that cannot be attributed to an electorate.

**Work for the Dole Programme (WfD)**

All figures derived in this spreadsheet are based on funding approved. Funding to deliver activities has been linked to electorate by the geographic location or locations where the activity occurs (as advised by the activity sponsor). Where, as a result of this process, the locations associated with an activity fall into more than one electorate, the funds and approved places associated with the activity have been divided equally among the electorates involved. Funding figures are GST inclusive. The number of approved places for which funding is available has been provided because the number of recipients by electorate is not available. Funding and expenditure are normally linked to administrative areas which are used for a number of purposes related to the operation of a programme, for example, Labour Market Region (LMR) or Employment Service Area (ESA). The borders associated with these administrative areas do not necessarily coincide with electorate boundaries. Figures are based on approved funding, not actual expenditure.

Information is current at 30 November 2002. WfD activities are approved on a rolling monthly basis and October is the latest month’s data available when these reports were coordinated.

The following statements should be read in conjunction with the figures in this document.

1. Funding and expenditure are normally linked to administrative areas which are used for a number of purposes related to the operation of a programme, for example, Labour Market Region (LMR) or Employment Service Area (ESA). The borders associated with these administrative areas do not necessarily coincide with electorate boundaries.

2. Where additional information is held such as the location of a programme, this has provided a basis to link expenditure to an electorate. The information provided in the attached spreadsheet is therefore an approximation based on information available.

3. Figures in the attached spreadsheet generally indicate monies allocated, not monies spent. However, it should be noted that all IEP programme figures reflect actual expenditure.

4. An asterisk (*) assigned to a programme indicates that allocated funding is GST inclusive.

5. Only those DEWR programmes administered in the examined electorate are detailed in this document.

**Attachment AB(1)**

<table>
<thead>
<tr>
<th>Community Work Coordinators</th>
<th>2001 Address</th>
<th>2002 Address</th>
</tr>
</thead>
<tbody>
<tr>
<td>The Salvation Army</td>
<td>Level 1, 576 Hunter Street, NEWCASTLE NSW 2300</td>
<td>Level 1, 576 Hunter Street, NEWCASTLE NSW 2300</td>
</tr>
<tr>
<td>Employment Plus</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Employment Plus</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Housing</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Street</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Newcastle</td>
<td></td>
<td></td>
</tr>
<tr>
<td>NSW 2300</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Wesley Uniting Employment Services</td>
<td>9-11 Tyrrell Street, WALLSEND NSW 2287</td>
<td>9-11 Tyrrell Street, WALLSEND NSW 2287</td>
</tr>
<tr>
<td>Eastlake Skills Centre Limited</td>
<td>453 Pacific Highway, BELMONT NSW 2280</td>
<td>453 Pacific Highway, BELMONT NSW 2280</td>
</tr>
<tr>
<td>Westlakes Community Training Services</td>
<td>corner Cary St and Brighton Ave, TORONTO NSW 2283</td>
<td>Lions Club of Hunter Wallsend Inc, Wallsend Enterprise Centre, Dan Rees Street, WALLSEND NSW 2287</td>
</tr>
<tr>
<td>Conservation Volunteers Australia</td>
<td>Ground Floor, 518 Hunter St, NEWCASTLE NSW 2300</td>
<td>Ground Floor, 518 Hunter St, NEWCASTLE NSW 2300</td>
</tr>
</tbody>
</table>
In 2001 and 2002 there were five CWCs operating in the electoral division of Newcastle, all of which were community organisations.

<table>
<thead>
<tr>
<th>2001 Name</th>
<th>2002 Name</th>
<th>Address</th>
<th>Address</th>
</tr>
</thead>
<tbody>
<tr>
<td>Conservation Australia</td>
<td>The Salvation Army</td>
<td>Level 1, 576 Hunter Street</td>
<td>level 1, 576 Hunter Street</td>
</tr>
<tr>
<td>Sponsors that are also Community Organisations</td>
<td>Employment Plus</td>
<td>NEWCASTLE NSW 2300</td>
<td>NEWCASTLE NSW 2300</td>
</tr>
<tr>
<td>Wesley Uniting Employment Services</td>
<td>Westlakes Community Training Services</td>
<td>corner Cary St and Brighton Ave, TORONTO NSW 2283</td>
<td>corner Cary St and Brighton Ave, TORONTO NSW 2283</td>
</tr>
<tr>
<td>Samaritans Foundation</td>
<td>Community Support Agency</td>
<td>Hunter St, NEWCASTLE NSW 2300</td>
<td>Hunter St, NEWCASTLE NSW 2300</td>
</tr>
<tr>
<td>Eastlake Skills Centre Limited</td>
<td>Conservation Volunteers Australia</td>
<td>Ground Floor, 518 Hunter St, NEWCASTLE NSW 2300</td>
<td>Ground Floor, 518 Hunter St, NEWCASTLE NSW 2300</td>
</tr>
<tr>
<td>Lions Club of Hunter Wallsend Inc</td>
<td>Trees in Newcastle</td>
<td>Level 1, 576 Hunter Street</td>
<td>Level 1, 576 Hunter Street</td>
</tr>
<tr>
<td>The Salvation Army Employment Plus</td>
<td>Wesley Uniting Employment Services</td>
<td>WALLSEND NSW 2287</td>
<td>WALLSEND NSW 2287</td>
</tr>
<tr>
<td>Rocket Art</td>
<td>Newcastle City Mission</td>
<td>551A Hunter St, NEWCASTLE NSW 2300</td>
<td>551A Hunter St, NEWCASTLE NSW 2300</td>
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<tr>
<td>Trees in Newcastle</td>
<td>Eastlake Skills Centre Limited</td>
<td>252 Parry St, NEWCASTLE WEST NSW 2302</td>
<td>252 Parry St, NEWCASTLE WEST NSW 2302</td>
</tr>
<tr>
<td>The Anchor Corner</td>
<td>Lions Club of Hunter Wallsend Inc</td>
<td>35 McInnes St, MINMI NSW 2287</td>
<td>518 Hunter St, NEWCASTLE NSW 2300</td>
</tr>
<tr>
<td>Wallsend Touch Football Association</td>
<td>Hunter Revival Fellowship</td>
<td>9 Morna Close, ELMORE VALE NSW 2287</td>
<td>9 Morna Close, ELMORE VALE NSW 2287</td>
</tr>
<tr>
<td>Westlakes Community Training Services</td>
<td>Footloose Theatre Company</td>
<td>corner Cary St and Brighton Ave, TORONTO NSW 2283</td>
<td>corner Cary St and Brighton Ave, TORONTO NSW 2283</td>
</tr>
<tr>
<td>Lake Macquarie Neighbourhood Information Centre Inc</td>
<td>Rocket Art</td>
<td>18 Main Rd, BOOLAROO NSW 2284</td>
<td>18 Main Rd, BOOLAROO NSW 2284</td>
</tr>
<tr>
<td>Community Support Agency</td>
<td>Samaritans Foundation</td>
<td>68-70 Gemvale Rd, REEDEY CREEK QLD 4228</td>
<td>68-70 Gemvale Rd, REEDEY CREEK QLD 4228</td>
</tr>
</tbody>
</table>

CWCs may sub-contract community or government organisations to deliver Work for the Dole activities. 13 community organisations sponsored Work for the Dole activities in 2001 and 14 community organisations sponsored Work for the Dole activities in 2002.

No individuals or businesses received Work for the Dole funding.

QUESTIONS ON NOTICE
### TABLE A: Funding for Newcastle in 2000-2001

<table>
<thead>
<tr>
<th>Electorate</th>
<th>Programme Description</th>
<th>Recipient Details</th>
<th>Project Details</th>
<th>Start Date</th>
<th>End Date</th>
<th>Amount</th>
</tr>
</thead>
<tbody>
<tr>
<td>Newcastle</td>
<td>Work for the Dole (WfD)</td>
<td>See Attachment AB(1)</td>
<td>23 projects</td>
<td>1/07/2000</td>
<td>30/06/2001</td>
<td>$742,210.73</td>
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<tr>
<td>Newcastle</td>
<td>Direct Assistance1</td>
<td></td>
<td></td>
<td>1/07/2000</td>
<td>30/06/2001</td>
<td>$8,530.00</td>
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<tr>
<td>Newcastle</td>
<td>Structured Training &amp; Employment1</td>
<td>3 Recipients</td>
<td>1/07/2000</td>
<td>30/06/2001</td>
<td>$43,635.00</td>
<td></td>
</tr>
<tr>
<td>Newcastle</td>
<td>Wage Assistance1</td>
<td>15 Recipients</td>
<td>1/07/2000</td>
<td>30/06/2001</td>
<td>$46,911.00</td>
<td></td>
</tr>
<tr>
<td>Newcastle</td>
<td>Indigenous Small Business Fund (ISBF)</td>
<td>1 Recipient</td>
<td>1 project</td>
<td>1/07/2000</td>
<td>30/06/2001</td>
<td>$109,186.00</td>
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</table>


### TABLE B: Funding for Newcastle in 2001-2002

<table>
<thead>
<tr>
<th>Electorate</th>
<th>Programme Description</th>
<th>Recipient Details</th>
<th>Project Details</th>
<th>Start Date</th>
<th>End Date</th>
<th>Amount</th>
</tr>
</thead>
<tbody>
<tr>
<td>Newcastle</td>
<td>Work for the Dole (WID)</td>
<td>See attachment AB(1)</td>
<td>53 projects</td>
<td>1/07/2001</td>
<td>30/06/2002</td>
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<tr>
<td>Newcastle</td>
<td>Employee Entitlements Support Scheme (EESS)</td>
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<td>Not Applicable</td>
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<td>Newcastle</td>
<td>General Employee Entitlements and Redundancy Scheme (GEERS)</td>
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<td>1/07/2001</td>
<td>30/06/2002</td>
<td>$208,320.45</td>
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<tr>
<td>Newcastle</td>
<td>Special Employee Entitlement Scheme for Ansett (SEESA)</td>
<td>8</td>
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<td>1/07/2001</td>
<td>30/06/2002</td>
<td>$274,733.06</td>
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<tr>
<td>Newcastle</td>
<td>Direct Assistance1</td>
<td>1 Recipient</td>
<td>1/07/2001</td>
<td>30/06/2002</td>
<td>$4,644.00</td>
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<tr>
<td>Newcastle</td>
<td>National Indigenous Cadetship Programme3</td>
<td>2 Recipients</td>
<td>1/07/2001</td>
<td>30/06/2002</td>
<td>$24,725.00</td>
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<tr>
<td>Newcastle</td>
<td>Wage Assistance3</td>
<td>13 Recipients</td>
<td>1/07/2001</td>
<td>30/06/2002</td>
<td>$34,554.00</td>
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</tr>
</tbody>
</table>


2 The Employee Entitlements Support Scheme is accessible to eligible claimants who were terminated due to the insolvency of their employer between 1 January 2000 and 11 September 2001. The General Employee Entitlements Scheme (GEERS) is accessible to eligible claimants who were terminated due to the insolvency of their employer on or after 12 September 2001. The Special Employee Entitlements Scheme for Ansett (SEESA) is accessible to employees who were terminated due to the insolvency of the Ansett group of Companies on or after 12 September 2002.

**Taxation: Bankruptcy Laws**

(Question No. 1502)

Mr Murphy asked the Attorney-General, upon notice, on 13 February 2003:
In answer to a question without notice (Hansard, 19 August 2002, page 4811) from the Member for Barton concerning the taskforce inquiry into wealthy barristers using bankruptcy laws to avoid tax and the Government’s failure after seven months to make public or provide a response to the taskforce’s report, did he state that the Government was working very hard on the report of the taskforce and that he hoped that the Government response would be seen very soon; if so, what is that response.

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

Yes. On 30 August the Assistant Treasurer and I released a joint statement outlining the steps the Government was taking to strengthen laws to prevent tax abuse. Drawing on the work of the taskforce the Government released an issues paper on possible further changes to bankruptcy and family law to prevent high income earners from avoiding their obligations to pay income tax. The issues paper was available for comments until 20 February 2003. ITSA and the Attorney-General’s Department are currently considering the comments received in order to formulate advice to Government on the form of the possible changes to bankruptcy and family law.

Member for Paterson: Electorate Office Accomodation
(Question No. 1519)

Mr Baldwin asked the Minister representing the Special Minister of State, upon notice, on 13 February 2003:

(1) What was the previous electoral office address for the Member for Paterson.
(2) When was the office established at that address.
(3) What was the length of the lease.
(4) Who were the owners of the property and if it was a company, who were the directors of that company.
(5) During the period of the lease, what was the DOFA member entitlement for an electorate office area in square metres.
(6) What was the area in square metres of the office.
(7) Was the area within the DOFA member entitlement; if not, why not.
(8) What was the annual rental for the property.
(9) What abnormal costs were involved in the establishment of that office.
(10) What were the relocation, lease finalisation and restitution costs.

Mr Abbott—The Special Minister of State has provided the following answer to the honourable member’s question:

(1) 46 William Street, Raymond Terrace, New South Wales.
(3) Three years.
(4) Raymond Terrace Cash Loan and Finance CO Pty Ltd. The Directors were Mr Stuart McLachlan and Mr Duncan McLachlan.
(5) Electorate offices are provided under item 7 Part 1 Schedule 1 of the Parliamentary Entitlements Act 1990.
(6) 170 square metres.
(7) Not applicable, because there is no “DOFA member entitlement” which specifies the size of an electorate office.
Commercial-in-confidence. Any disclosure could prejudice the ability of the Commonwealth to sublet the property at a rate that represents value for money for the Commonwealth.

None.

$4,579 for removalists. The Department through United KFPW is in negotiations with the lessor to accept surrender of the lease or agreement to sub lease the premises.

Royal Commission into the Building and Construction Industry

(8) Mr Murphy asked the Minister for Employment and Workplace Relations, upon notice on, 4 March 2003:

(1) Can he confirm that a copy of the Cole Royal Commission Report into the building industry has been given to the Governor-General.

(2) Who else has been provided with a copy of this report.

(3) When will this report be made publicly available.

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

(1) The final report from the Royal Commission into the Building and Construction Industry was presented to the Governor-General on 24 February 2003.

(2) and (3) Volumes 2 and 12-22 of the report were tabled in Parliament on 26 March 2003. Volumes 1 and 3-11 were tabled in Parliament on 27 March 2003. Volume 23, which contains referrals for prosecution, will not be released publicly.

(3) Volumes 1-22 of the report are publicly available and can be accessed on www.royalcombei.gov.au

Aviation: Airservices Australia

(9) Mr Martin Ferguson asked the Minister for Transport and Regional Services, upon notice, on 5 March 2003:

(1) Can he guarantee that if the Adelaide, Sydney and Perth Terminal Control Units (TCUs) are consolidated to Melbourne, the reliability of communications equipment link systems and back-up systems will be at least equal to the present systems and that future long distance third-party provided communication links will provide the same reliability as present Airservices Australia owned and maintained systems.

(2) What analysis has been conducted to assess the reliability of future systems compared to present ones and, if no analysis has been conducted, is Airservices Australia intending to conduct this analysis; if so, when and if not, why not.

(3) Is it the case that the Sydney, Adelaide and Perth TCUs currently have a back-up radio system known as the Hard Wired Air Ground Bypass that is an extremely simple, robust system that connects Air Traffic Controllers directly to their radio equipment without the need for third-party provided satellite and terrestrial links, and will the consolidation proposal for back-up radio links be as reliable as this.

(4) What technical analysis has been conducted to assess the relative reliability of proposed future back up links as compared to present ones and, if no analysis has been conducted, is Airservices Australia intending to conduct this analysis; if so, when and by whom and if not, why not.

(5) Is it the case that Airservices Australia currently transfers radio data, radar data and voice coordination information between facilities via duplicated satellite links and a back-up terrestrial link; if so, does Airservices Australia plan to use this same system to transfer data between Sydney-
based equipment and Melbourne-based Sydney terminal controllers after TCU consolidation, and are these facilities adequate.

(6) Is it the case that both satellite intercommunication links and the back-up terrestrial link between the Sydney TCU and the Melbourne centre failed on 7 October 2002; if so, how will Airservices Australia ensure future links will not fail if the Sydney TCU is moved to the Melbourne centre.

(7) What analysis has been conducted to assess the reliability of proposed intercommunication links and how much will it cost to install additional redundant capability; if no analysis has been conducted, why not.

(8) Is it the case that Airservices Australia Service Failure Notification 1278 dated 31 August 2002 described a failure which caused “Total loss of air ground communications throughout MCO”; if so, do such failures reduce the ability of Air Traffic Controllers, including future terminal controllers if they are located in Melbourne, to provide a safe separation service.

(9) What analysis has been conducted to assess the reliability of proposed intercommunication links and how much will it cost to install additional redundant capability; if no analysis has been conducted, why not.

(10) Does Airservices Australia Service Failure Notification 984 dated 17 July 2001 describe a failure in the primary and back-up radio links between Canberra terminal controllers located in Melbourne and their radio equipment located in Canberra; if so, did this failure cause the Canberra terminal controllers to lose contact with aircraft under their control.

(11) Is it the case that this failure reduced the ability of Canberra terminal controllers to provide a safe separation service and does Airservices Australia consider that such failures would reduce the ability of future terminal controllers, if they are located in Melbourne, to provide a safe separation service; if not, why not.

(12) What analysis has been undertaken to ensure that future systems cannot suffer the same failure and how much will it cost to implement any required system modifications; if no analysis has been undertaken, is Airservices Australia intending to conduct this analysis; if so, when and by whom.

(13) What steps will Airservices Australia take to ensure that Sydney, Adelaide and Perth terminal controllers will not lose contact with aircraft under their control if they are relocated to the Melbourne centre.

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

(1) Airservices Australia are conducting full design and implementation safety cases (which are subject to CASA review) to establish either –

(i) that there are no operational implications of consolidating TCUs;
(ii) identify appropriate mitigators to satisfactorily address operational issues;
(iii) indicate that consolidation issues cannot be mitigated in which case consolidation would not proceed.

Integral to the preparation of the design safety case and any integration and implementation plans is the development and review of Business Continuity and disaster recovery plans for each of the affected Terminal Control Units. The hazard identification of this process will be undertaken by an expert safety panel comprising technical experts, staff and unions.

(2) See answer to part 1.

(3) The Air Ground Bypass system provides an independent communications path in the event of a voice switch failure. As most radio equipment for terminal control is located off airport, rather
than providing a direct connection between the air traffic controller and their radio equipment, the bypass system provides a direct connection from the controller to the communications bearer. The bypass system on its own provides no protection against bearer failure. This is catered for by building redundancy in the communication network. There will be no loss of bypass functionality with the consolidation proposal.

(4) See answer to part 1.

(5) Yes. Whether or not the same system will be used if integration of the Sydney TCU to Melbourne were to go ahead, will be addressed as part of the review of Business Resumption and contingency plans being undertaken as part of the TCU integration proposal (see answer to question 1). The facilities used will be to an appropriate standard and the level of redundancy within the system will not be less than that which currently exists.

(6) Yes. In this particular instance, had the Sydney TCU been co-located with the Melbourne facilities the consequences of the 7 October 2002 failure would have been significantly less.

(7) See answer to part 1.

(8) The air ground communication services using only satellite circuits failed on 31 August 2002. Terrestrially connected circuits were still available providing full communications for air traffic controllers. The primary air ground communications facility for a Sydney TCU located in Melbourne would be via this terrestrial link.

(9) See answer to part 8. In the case of failure of satellite communications, a terrestrial link will still be available as was the case in Melbourne for the failure on 31 August 2002.

(10) Yes

(11) No. Contingency procedures were put into place to ensure that at no time was there a compromise in safety of operations. The failure in Canberra was not a result of a design deficiency in the communication links between Canberra and Melbourne, rather it was caused by a site specific incident.

(12) A full investigation was conducted into the cause of the incident and recommendations implemented locally to mitigate against such an incident occurring again. No changes were required to the design of communication links between Canberra and Melbourne.

(13) See answer to part 1.

Electruck Pty Ltd: Workers Entitlements
(Question No. 1608)

Mr Price asked the Minister for Employment and Workplace Relations, upon notice, on 18 March 2003:

(1) Is he aware of the attempts by the former employees of the company, Electruck in Sydney to obtain their entitlements from its receiver, KPMG which was appointed on 26 February 2001.

(2) Is it the case that the receiver is now able to pay the entitlements.

(3) Does he support the efforts of the officials of the AMWU to obtain payment of the workers’ entitlements; if not, why not.

(4) Will he write to KPMG on behalf of the workers; if not, why not.

(5) Will the Federal Safety Net Arrangements cover the Electruck workers’ entitlements; if not, why not.

(6) What other action may the workers take to recover their entitlements.

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

(1) Yes.
(2) As at 13 May 2003, the liquidator has already paid the former employees of Electruck Pty Ltd all outstanding wages, annual leave and long service leave and fifty per cent of payment in lieu of notice and redundancy pay. My department has advised me that the liquidator expects to pay a final dividend for outstanding employee entitlements by 31 May 2003. This payment will ensure that all employee entitlements have been paid in full.

(3) I am not aware of any action taken by the AMWU.

(4) Given that the employees have already received most of their employee entitlements and the liquidator anticipates paying the balance by 31 May 2003, there is little point in writing to the liquidator.

(5) The Federal Government is proud to have been the first to address seriously the issue of employee entitlements lost on employer insolvency. On 26 August 2001, eligible former employees of Electruck Pty Ltd received approximately $115,000 in assistance under the Federal Government’s Employee Entitlements Support Scheme (EESS).

(6) The former employees of Electruck Pty Ltd have already received most of their employee entitlements. The liquidator anticipates paying the balance by 31 May 2003. It is not clear that the former employees need take any action.

Challton Electorate: Program Funding
(Question Nos 1685 and 1688)

Ms Hoare asked the Minister for Trade and the Minister for Foreign Affairs, upon notice, on 19 March 2003:

(1) Does the Minister’s Department administer any Commonwealth funded programs for which community organisations, businesses or individuals in the electoral division of Challton can apply for funding; if so, what are the programs.

(2) Does the Minister’s Department advertise these funding opportunities; if so, (a) what print or other media outlets have been used for the advertising of each of these programs, (b) were these paid advertisements, and if so, (c) what was the cost of each advertisement.

(3) With respect to each of the Commonwealth funded programs referred to in part (1), (a) what is its purpose and (b) who is responsible for allocating funds.

(4) With respect to each of the Commonwealth funded programs referred to in part (1), how many (a) community organisations, (b) businesses or (c) individuals in the electoral division of Challton received funding in (i) 1999, (ii) 2000, (iii) 2001, and (iv) 2002.

(5) What is the name and address of each recipient.

Mr Downer—On behalf of the Minister for Trade and myself as Minister for Foreign Affairs, the answer to the honourable member’s question is as follows:

(1) Yes.
   AusAID NGO Cooperation Program (ANCP)
   Country & Regional NGO Programs
   Australian Community and Professional Development Scheme (ACPDS)
   International Seminar Support Scheme (ISSS)
   Volunteer Programs
   Australian Youth Ambassadors for Development Program (AYAD)
   Export Market Development Grants (EMDG) scheme
   Australia-Korea Foundation (AKF) Grant Program

QUESTIONS ON NOTICE
Australia-India Council (AIC) Grant Program
Australia-Indonesia Institute (AII) Grant Program
The Australia-China Council (ACC) Programs
Cultural Relations Grant Program

(2) Yes. All grant programs, with the exception of the Cultural Relations Discretionary Grants Program.

ANCP and ISSS
(a) AusAID’s website
(b) None
(c) None

Country & Regional NGO Programs
(a) Country NGO programs are advertised by email by accredited Australian and NGOs and Regional NGOs programs are advertised by email and in some cases on AusAID’s website.
(b) None
(c) None

ACPDS
(a) National Print Media
(b) Yes
(c) $3,301.84 in 2001-02 Financial Year

Volunteer Programs
(a) Promoted through a variety of publicity and promotional activities such as interviews on radio and television, information sessions, stalls at career-days, advertisements in national papers, trade journals and rural shows.
(b) Yes
(c) $20,000 in the 2001-02 financial year (note, this also includes AYAD advertising costs)

AYAD
(a) Promoted through a variety of publicity and promotional activities such as interviews on radio and television, information sessions, stalls at career-days, advertisements in national papers, trade journals and rural shows.
(b) Yes
(c) (included as part of the response against Volunteer Programs)

EMDG
(a) Austrade places EMDG scheme specific advertisements in major metropolitan and regional media outlets. Such campaigns are generally run twice a year, in April - June and September – November. Advertisements were placed in 30 publications across Australia in October & November 2002, including placements in The Sydney Telegraph, The Australian, The Land, The Australian Financial Review and regional publications including the Newcastle Herald, Major metropolitan and regional media outlets.
(b) Yes
(c) In the 2002-03 financial year:
   The Sydney Telegraph - $2,400
   The Australian - $1200 x 2
The Land - $600 x 2
The Australian Financial Review - $1,700 x 2
Newcastle Herald - $360

AKF
(a) Weekend Australian
(b) Yes
(c) $2,913.51 in the 2002-03 financial year

AIC
(a) Website, annual report, telephone enquiries
(b) No
(c) None

All
(a) Internet website, relevant newspaper and industry publications.
(b) Yes, for newspaper and industry publications.
(c) In the 2001-02 financial year:
The Australian $2,353.46 and $1,664.50
The Walkley Magazine $592

ACC
(a) National Print Media
(b) Yes
(c) $1,171.41, $1,161.41, $2,226.84, $1,541.17, $1,581.60 and $1,541.17 in the 2002-03 financial year.

Cultural Relations Grants Program
(a) None
(b) None
(c) None

(3) ANCP
(a) To subsidise Australian NGO community development activities which directly and tangibly alleviate poverty in developing countries.
(b) AusAID.

Country and Regional NGO programs
(a) To subsidise Australian NGO community development activities which directly and tangibly alleviate poverty in developing countries.
(b) AusAID.

ACPDS
(a) To support efforts by Australian community organisations, professional associations and small businesses to strengthen the capacities of their counterparts in developing countries
(b) AusAID.

ISSS
(a) To provide assistance to organisers of international development-oriented conferences to enable the attendance of selected participants from developing countries.
Volunteer Programs
(a) To provide practical assistance, training and skills transfer to local counterparts and communities in the developing countries.
(b) AusAID.

AYAD
(a) To place skilled young Australians on short-term assignments in countries throughout Asia and the Pacific. AYAD also develop linkages and networks between partner organisations in Australia and those in developing countries, and gain an overseas professional development experience.
(b) AusAID.

EMDG
(a) Designed to encourage small and medium sized Australian businesses to develop export markets by reimbursing up to 50% of eligible export promotional expenditure, above the first $15,000.
(b) Austrade.

AKF
(a) To strengthen the bilateral relationship between Australia and the Republic of Korea and in particular to promote people to people exchanges and institutional links.
(b) The AKF Board.

AIC
(a) To enable the initiative and enthusiasm of a wide range of individuals and organisations to be encouraged and supported in furthering the Council’s objectives of broadening and deepening the Australia-India relationship.

AII
(a) To develop relations between Australia and Indonesia by promoting greater mutual understanding and by contributing to the enlargement over the longer term of the areas of contact and exchange between the people of Australia and Indonesia.
(b) The AII Board.

ACC
(a) To broaden and deepen relations between Australia and China by fostering in Australia a greater understanding of China and of Australia in China; and developing and expanding the areas of contact and exchange between Australia and China.
(b) The ACC Board.

Cultural Relations Grants Program
(a) To project abroad an image of a creative, sophisticated, diverse and technologically advanced Australia in support of the Australian Government’s key foreign and trade policy objectives.
(b) The Cultural Relations Section, Images of Australia Branch in the Department of Foreign Affairs and Trade.

None

None

QUESTIONS ON NOTICE
(c) None, however, a number of individual volunteers from the electorate of Charlton have been supported by NGOs and volunteer agencies funded by AusAID. Between 1999 and 2002 approximately ten individuals from the Charlton electorate have received this type of support.

ACPDS and ISSS
(a) None
(b) None
(c) None

EMDG
(a) None
(b) 1999-2000 : 7 businesses
     2000-01 : 9 businesses
     2001-02 : 5 businesses
(c) None

AKF, AIC, AII
(a) None
(b) None
(c) None

ACC
(a) None
(b) None
(c) None, although it is possible that joint projects included members from the Charlton electorate.

Cultural Relations Grants Program
(a) None
(b) None
(c) None

(5) ANCP, Country and Regional NGO Programs, AYAD and Volunteer Programs - In the context of the Privacy Act (1988) AusAID is unable to provide this personal information on volunteers.

ACPDS and ISSS – None
EMDG – Recipient details attached.
AKF, AIC, AII, ACC, Cultural Relations Grants Program – None.
EMDG Recipients in the electorate of Charlton, in grant years 1998-99, 1999-00, 2000-01, 2001-02 (year-to-date).

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1998/1999 Total $260,262

1999/2000 Total $108,416
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<tr>
<td>Charlton</td>
<td>2001/2002</td>
<td>AMPCONTROL INTERNATIONAL PTY LTD</td>
<td>Electronic Equipment Manufacturing n.e.c.</td>
<td>250 Macquarie Road</td>
<td>WARNERS BAY</td>
<td>NSW</td>
<td>2282</td>
<td>$60,000</td>
</tr>
<tr>
<td>Charlton</td>
<td>2001/2002</td>
<td>MINING COMPONENTSAUSTRALIA PTY LTD</td>
<td>Mining and Construction Machinery Manufacturing</td>
<td>38 Mitchell Road</td>
<td>CARDIFF</td>
<td>NSW</td>
<td>2285</td>
<td>$10,417</td>
</tr>
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</table>

QUESTIONS ON NOTICE
<table>
<thead>
<tr>
<th>Electorate</th>
<th>Grant Year</th>
<th>Recipient</th>
<th>Industry</th>
<th>Address</th>
<th>Suburb</th>
<th>State</th>
<th>Postcode</th>
<th>EMDG Payment</th>
</tr>
</thead>
<tbody>
<tr>
<td>Charlton</td>
<td>2001/2002</td>
<td>NIGHTINGALE SOFTWARE PTY LTD</td>
<td>Computer Consultancy Services</td>
<td>Lot 13 Enterprise Drive</td>
<td>WARNERS BAY</td>
<td>NSW 2282</td>
<td>$34,130</td>
<td></td>
</tr>
<tr>
<td>Charlton</td>
<td>2001/2002</td>
<td>STRATA ENGINEERING (AUSTRALIA) PTY LTD</td>
<td>Consulting Engineering Services</td>
<td>34 Main Road</td>
<td>BOOLAROO</td>
<td>NSW 2284</td>
<td>$10,344</td>
<td></td>
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<tr>
<td>Charlton</td>
<td>2001/2002</td>
<td>SYKES PUMPS AUSTRALIA PTY LTD</td>
<td>Pump and Compressor Manufacturing</td>
<td>42 Munibung Road</td>
<td>CARDIFF</td>
<td>NSW 2285</td>
<td>$60,000</td>
<td></td>
</tr>
<tr>
<td></td>
<td>2001/2002 Total</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td>$174,891</td>
</tr>
<tr>
<td></td>
<td>2001/2002 Grand Total</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td>$1,238,436</td>
</tr>
</tbody>
</table>

Note: * Grant year 2001/02 claims are presently being assessed - payments represent the initial EMDG payment only (which is capped at $60,000 until June 2003)
Source: EMDG database, 1 April 2003
Ms Hoare asked the Minister representing the Minister for Defence, upon notice, on 19 March 2003:

(1) Does the Minister’s Department administer any Commonwealth funded programs for which community organisations, businesses or individuals in the electoral division of Charlton can apply for funding; if so, what are the programs.

(2) Does the Minister’s Department advertise these funding opportunities; if so, (a) what print or other media outlets have been used for advertising of each of these programs, (b) were these paid advertisements, and if so, (c) what was the cost of each advertisement.

(3) With respect to each of the Commonwealth funded programs referred to in part (1), (a) what is its purpose and (b) who is responsible for allocating funds.

(4) With respect to each of the Commonwealth funded programs referred to in part (1), how many (a) community organisations, (b) businesses or (c) individuals in the electoral division of Charlton received funding in (i) 1999, (ii) 2000, (iii) 2001, and (iv) 2002.

(5) What is the name and address of each recipient.

Mrs Vale—The answer to the honourable member’s question is as follows:

(1) Yes. The Family Support Funding Program provides grants to organisations supporting Service families; and the Army History Research Grants Scheme fosters research into Army History.

(2) Yes.

(a) The Family Support Funding Program – As this is a specific Defence family initiative, it is advertised within Defence using Defence publications such as Defence Family Matters and the three Service newspapers. The program is promoted by Defence Community Organisation staff on an area basis, on the Defence Community Organisation web site and in local Defence newsletters.


(b) No paid advertisements were used for the Family Support Funding Program but paid advertisements were used for the Army History Research Grants Scheme.

(c) Approximately $5,000 is budgeted for advertisements for the Army History Research Grants Scheme.

(3) (a) The Family Support Funding Program provides funds to Defence families to enable them to undertake family support projects at the local level that will assist them to overcome some of the impacts of mobility.

The Army History Research Grants Scheme supports and encourages research into the role and involvement of the Army in the development of the nation.

(b) The Family Support Funding Program – Within Defence, the Family Support Advisory Committee which includes representatives from the Defence Community Organisation, the Convenor of Defence Families of Australia and single Service representatives assesses the applications. The recommendations from the assessments are forwarded to the Minister Assisting the Minister for Defence for endorsement.

The Army History Research Grants Scheme – The Deputy Chief of Army on the advice of the Army Military History Projects Committee (independent academics specialising in military history).
(4) and (5) No community organisations, businesses or individuals in the electoral division of Charlton applied for or received funding from the Army History Research Grants Scheme or the Family Support Funding Program in the years specified.

**Charlton Electorate: Program Funding**

(Question No. 1696)

Ms Hoare asked the Minister for Education, Science and Training, upon notice, on 19 March 2003:

(1) Does the Ministers Department administer any Commonwealth funded programs for which community organisations, businesses or individuals in the electoral division of Charlton can apply for funding; if so, what are the programs.

(2) Does the Ministers Department advertise these funding opportunities; if so, (a) what print or other media outlets have been used for the advertising of each of these programs, (b) were these paid advertisements, and if so, (c) what was the cost of each advertisement.

(3) With respect to each of the Commonwealth funded programs referred to in part (1), (a) what is its purpose and (b) who is responsible for allocating funds.

(4) With respect to each of the Commonwealth funded programs referred to in part (1), how many (a) community organisations, (b) businesses or (c) individuals in the electoral division of Charlton received funding in (i) 1999, (ii) 2000, (iii) 2001, and (iv) 2002.

(5) What is the name and address of each recipient.

**Dr Nelson**—The answer to the honourable member’s question is as follows:

(1) Yes. The Department of Education, Science and Training (DEST) administers the following programmes in the electoral division of Charlton:

**Higher Education**

No – but see answer to (4) below.

**Indigenous Education**

The Department administers the Indigenous Education Strategic Initiatives Programme (IESIP), the Indigenous Education Direct Assistance (IEDA) programme and the Indigenous Support Funding (ISF). The funding available under these programmes is outlined in 3 below.

**Schools**

The majority of schools programmes could provide assistance, either directly or indirectly, to the people in the electorate of Charlton. These include programmes such as General Recurrent Grants, Establishment Grants, Capital Grants, Schools Short Term Emergency Assistance, National Values Education Study, Special Education – Non-government Centre Support Programme, National Literacy and Numeracy Strategies and Projects, Strategic Assistance for Improving Student Outcomes, Enterprise and Career Education, Country Areas, English as a Second Language – New Arrivals, Languages Other Than English, Job Pathways (JPP), Partnership Outreach Education Model (POEM) Pilot, Career and Transition (CAT) Pilot and Discovering Democracy. However, under programme administrative arrangements with the States, Territories and non-government education authorities, the Commonwealth only collects data by electorate for certain programmes. For Information on these programmes refer to questions 4 and 5 below.

The Department administers the JPP, however, this programme is fully committed until the end of December 2003 and there is no additional funding available. Funding was allocated through a tender process conducted in 1999.

**Science**

Vocational Education

Workplace English Language and Literacy (WELL) Programme.

Language, Literacy and Numeracy Programme (LLNP). The LLNP commenced in January 2002 and was formed by amalgamation of the former Literacy and Numeracy Programme and the Advanced English for Migrants Programme. It offers three streams of training: basic English language; advanced English language; and literacy and numeracy.

Joint Group Training Programme. The Programme provides funding to recognised Group Training Organisations in NSW. Commonwealth contributions match those of the State on a dollar for dollar basis. Funding for the Programme is provided through the Australian National Training Authority.

Group Training New Apprenticeships Targeted Initiatives Programme (TIP). The Programme was established to promote New Apprenticeships through Group Training arrangements. The following organisations are eligible for funding: Group Training Companies; Group Training peak bodies; and other Group Training organisations involved in the provision of Group Training arrangements.

New Apprenticeships Access Programme (NAAP).

New Apprenticeships Incentives Programme.

(2) Yes.

Higher Education

Not applicable.

Indigenous Education

There is no advertising of funding opportunities under IESIP, IEDA or ISF.

Schools

The above programmes are advertised on the Department’s Website as part of the Commonwealth Programmes for School – Quadrennial Administrative Guidelines 2001-04. A number of programmes also advertise particular components.

The Minister wrote to each school principal in September 2002 inviting schools to participate in the National Values Education Study. Paid advertisements through print or other media outlets were not used.

The Department advertised the opportunity for the JPP through paid advertisements placed in national newspapers and unpaid advertisements on the Departmental website and through the Public Service Gazette. The total cost of advertising was $60,934.07.

Science

<table>
<thead>
<tr>
<th>(a)</th>
<th>(b)</th>
<th>(c) (GST exh)</th>
</tr>
</thead>
<tbody>
<tr>
<td>Financial Review (13/9/02)</td>
<td>Yes</td>
<td>3,579.60</td>
</tr>
<tr>
<td>The Australian (18/9/02)</td>
<td>Yes</td>
<td>1,349.60</td>
</tr>
<tr>
<td>R&amp;D Review (22/9/02)</td>
<td>Yes</td>
<td>300</td>
</tr>
<tr>
<td>R&amp;D Info (12/9/02)</td>
<td>Yes</td>
<td>165</td>
</tr>
<tr>
<td>The Australian (15/1/03)</td>
<td>Yes</td>
<td>1,315.86</td>
</tr>
<tr>
<td>Financial Review (17/1/03)</td>
<td>Yes</td>
<td>2,449.20</td>
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<td>Financial Review (19/2/03)</td>
<td>Yes</td>
<td>1,711.71</td>
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<tr>
<td>The Australian (19/2/03)</td>
<td>Yes</td>
<td>1,586.62</td>
</tr>
<tr>
<td>Australian Academy of Science e-newsletter</td>
<td>No</td>
<td>-</td>
</tr>
<tr>
<td>Australian Academy of Technological Sciences and Engineering e-newsletter</td>
<td>No</td>
<td>-</td>
</tr>
<tr>
<td>CSIRO e-newsletter</td>
<td>No</td>
<td>-</td>
</tr>
</tbody>
</table>
(a) The WELL Programme is advertised nationally and in each State and Territory. In NSW, advertising has usually been in the Saturday Sydney Morning Herald, at least once and sometimes twice a year.

(b) Yes.

(c) In 2002, the cost of two advertisements in The Sydney Morning Herald was $4,163.36. Nationally, the WELL Programme has been advertised in The Australian, and in 2002 the cost of one advertisement in The Australian was $2,353.46. In 2002, the WELL Programme was also advertised in Australian Business News, which has a majority of its readers in NSW and the cost of this advertisement was $798.50.

LLNP

(a) The competitive tender of late 2001 was advertised nationally in The Australian newspaper and in regional newspapers across the country, including the Newcastle Herald. An Intention to Release Request for Tender was advertised on 11 August 2001 and the Request for Tender was advertised on 18 August 2001.

(b) Yes.

(c) These were paid advertisements which cost $11,209.49 and $13,078.03 respectively.

Joint Group Training Programme

No. The advertising of funding opportunities in NSW under the Joint Group Training Programme is administered by NSW State Training Authorities.

TIP

(a) Advertised in major metropolitan and national newspapers and through the Programme website.

(b) Yes.

(c) A total of $13,732.93 was spent on advertising the first funding round of the Programme in 2000-01.

NAAP

(a) Major metropolitan and national newspapers, the Commonwealth Purchasing and Disposal Gazette and the Internet via the Department of Education, Science and Training home page.

(b) Yes.

(c) A total of $19,382.12 was spent in 2001-02 advertising a request for tender to provide NAAP services for the period 2002-2004.

New Apprenticeships Incentives Programme

There have been national advertising campaigns for New Apprenticeships which ran periodically between 1999 and 2002 and therefore would have appeared on local television and in the local press and targeted potential apprentices and employers.
(3) Higher Education

Not applicable.

Indigenous Education

(a) Funding under IESIP provides supplementary assistance through recurrent and project funding to education providers and other bodies to achieve improved outcomes for Indigenous students. Supplementary IESIP funding applies across the preschool, school and vocational education and training sectors.

The IEDA programme has three elements and does not directly provide funding to education providers. The elements of the programme are:

1. The Aboriginal Student Support and Parent Awareness (ASSPA) programme funds parent committees in preschools and schools to undertake activities to improve education outcomes for Indigenous students and to increase the participation of the parents of Indigenous students in their children’s education;

2. The Aboriginal Tutorial Assistance Scheme (ATAS) provides supplementary tuition and other study assistance to Indigenous students in primary and secondary schools, TAFE, University and formal training programmes; and

3. The Vocational and Educational Guidance for Aboriginals Scheme (VEGAS) funds projects on career information and study options, and projects which foster positive attitudes about participation in education for Indigenous school students.

The Indigenous Support Funding programme provides grants to higher education institutions to assist in meeting the special needs of Aboriginal and Torres Strait Islander students and to advance the goals of the National Aboriginal and Torres Strait Islander Education Policy. Each institution is required to develop an Indigenous education strategy, which forms part of the institution’s educational profile on which Commonwealth funding is based.

(b) DEST National Office, in conjunction with the NSW DEST State Office and NSW DEST District Offices, allocates funds under IESIP in line with the Administrative Guidelines.

Funding under IEDA is allocated in line with the IEDA Policy and Procedures Manual by the NSW DEST State Office and the NSW DEST District Offices.

Schools

Details of these Commonwealth programmes are available on the Department’s website as part of the Commonwealth Programmes for Schools – Quadrennial Administrative Guidelines 2001-04.

Science

(a) The IAP-IST Competitive Grants component supports international research and development cooperation and related activities. Support is available for Australian researchers who are undertaking collaborative research projects and alliances, and associated project-specific workshops with international partners. This includes specific support for Australian participation in European Union Framework research projects. It also offers support of up to $50,000 per conference for between 2 and 5 major international conferences per year that can contribute to the goals of the IAP-IST.

(b) A three-person Assessment Panel assesses all applications against the Eligibility and Assessment Criteria and makes recommendations to the Minister for Science for approval.

Vocational Education

WELL

(a) The WELL Programme funds enterprises or training providers to provide workers with English language and literacy skills to help them meet their current and future employment
and training needs. It particularly targets workers who are at risk of losing their jobs because of low literacy skills.

(b) The Branch Manager, Quality and Access Branch, VET Group in DEST holds the delegation for approving WELL project funding.

**LLNP**

(a) LLNP training is designed to lead to a measurable improvement in participants’ language, literacy and numeracy competencies, thereby making them more competitive in the labour market, or enabling them to continue with further education or training. Training can also lead to partial recognition of overseas-earned qualifications for migrant participants.

(b) The Programme receives an annual budget using Administered funds. Expenditure is largely driven by demand in areas across the country rather than by allocation of fixed amounts to specific areas. The Branch Manager, Quality and Access Branch, VET Group in the Department of Education, Science and Training holds the delegation for LLNP funds approval.

**Joint Group Training Programme**

(a) The purpose of the Programme is to provide funding to recognised Group Training Organisations in NSW. Commonwealth contributions match those of the State on a dollar for dollar basis.

(b) Funding for the Joint Group Training Programme is provided through the Australian National Training Authority.

**TIP**

(a) TIP provides funding to Group Training Organisations to establish sustainable New Apprenticeships markets in critical, under-serviced and challenging areas, and recruit New Apprentices under Group Training arrangements. This includes skill shortages and disadvantaged communities.

(b) The Department of Education, Science and Training.

**NAAP**

(a) NAAP provides job seekers who experience barriers to skilled employment, with pre-vocational training, support and assistance to obtain and maintain a New Apprenticeship. Alternatively, a job seeker may be supported into employment, further education or training.

(b) The Department of Education, Science and Training.

**New Apprenticeships Incentives Programme**

(a) The purpose of the New Apprenticeships Incentives Programme is to create a vocational education and training system that contributes to national economic growth, increased employment and a more highly skilled workforce.

(b) New Apprenticeships Centres are contracted to administer New Apprenticeships Support Services, which include the responsibility for allocating funds.

(4) **Higher Education**

The Commonwealth provides a number of higher education places each year to Avondale College. The places are provided on a contractual basis. The number of places and associated funding for each year is:

<table>
<thead>
<tr>
<th>Operating grant</th>
<th>1999</th>
<th>2000</th>
<th>2001</th>
<th>2002</th>
</tr>
</thead>
<tbody>
<tr>
<td>Operating grant</td>
<td>$1.7 m</td>
<td>$1.712 m</td>
<td>$1.749 m</td>
<td>$1.789 m</td>
</tr>
<tr>
<td>Higher education places</td>
<td>235</td>
<td>235</td>
<td>235</td>
<td>235</td>
</tr>
</tbody>
</table>
(a) Includes HECS Liabilities
Note: Higher education payments are legislated by calendar year.

Indigenous Education
The Awabakal Preschool, which is located in the electorate of Charlton, is in receipt of funding under IESIP.

Schools in the electorate of Charlton receive the benefit of IESIP as IESIP funding is provided on an aggregate basis to the NSW Department of Education and to the NSW Catholic Education Office.

It would be extremely difficult to determine the level of IEDA funding utilised in the electorate of Charlton as funding is not recorded on an electorate basis. The electorate would contain a number of ASSPA Committees and individuals receiving assistance under ATAS. It is also possible that individuals from the electorate have participated in VEGAS projects run from the Newcastle Indigenous Education Unit of DEST, but no projects were specifically aimed at and limited to students in the electorate of Charlton.

<table>
<thead>
<tr>
<th>Programmes in the electorate of Charlton</th>
<th>Number of Organisation/Business/Individuals</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td>1999</td>
</tr>
<tr>
<td>General Recurrent Grants to Non-Government Schools</td>
<td>16</td>
</tr>
<tr>
<td>Establishment Grants</td>
<td>0</td>
</tr>
<tr>
<td>Capital Grants to Non-government Schools</td>
<td>0</td>
</tr>
<tr>
<td>Capital Grants to Government Schools</td>
<td>1</td>
</tr>
<tr>
<td>Special Education – Non-government Centre Support</td>
<td>2</td>
</tr>
<tr>
<td>Jobs Pathway</td>
<td>0</td>
</tr>
</tbody>
</table>

Science

<table>
<thead>
<tr>
<th>Programme</th>
<th>1999</th>
<th>2000</th>
<th>2001</th>
<th>2002</th>
</tr>
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<tr>
<td>A</td>
<td>*</td>
<td>*</td>
<td>*</td>
<td>Nil</td>
</tr>
<tr>
<td>B</td>
<td>*</td>
<td>*</td>
<td>*</td>
<td>Nil</td>
</tr>
<tr>
<td>C</td>
<td>*</td>
<td>*</td>
<td>*</td>
<td>Nil</td>
</tr>
</tbody>
</table>

*IAP-IST Competitive Grants began in FY2002-03. The programme was previously delivered by the Department of Industry, Tourism and Resources. No projects were supported in 2002 for the Charlton Electorate.

Vocational Education

WELL
There were four WELL projects that received funding over the 1999, 2000, 2001 and 2002 calendar years in the electoral division of Charlton.

(a) No community organisations were funded.
(b) Four businesses were funded.
(c) No individuals were funded.

LLNP
In 1999, 2000, 2001 a community organisation was contracted under the former Literacy and Numeracy Programme to provide literacy and numeracy services in the electorate division of Charlton. In 2002 two organisations were contracted to provide services under the LLNP in the electorate of Charlton.

(a) Two community organisations were funded.
(b) No businesses were funded.
(c) No individuals were funded.

Joint Group Training Programme
(a) No community organisations were funded.
(b) One business was funded over 1999-2002.
(c) No individuals were funded.

TIP
(a) No community organisations were funded.
(b) No businesses were funded.
(c) No individuals were funded.

NAAP
(a) No community organisations were funded.
(b) No businesses were funded.
(c) No individuals were funded.

New Apprenticeships incentives Programme
In 1999 there were 575 claims processed from employers in the Charlton electorate.
In 2000 there were 1,976 claims processed from employers in the Charlton electorate.
In 2001 there were 2,251 claims processed from employers in the Charlton electorate.
In 2002 there were 3,357 claims processed from employers in the Charlton electorate.

(5) Higher Education
Avondale College, 528 Freemans Drive, Cooranbong NSW 2265, Australia.

Indigenous Education
Names and addresses for recipients of funding under IEDA in the electorate of Charlton are not available. IESIP funding was received by Awabakal Newcastle Aboriginal Corporation, 127 Maitland Rd, Islington.

Schools
General Recurrent Grants to Non-Government Schools:
Avondale Primary School, Cooranbong
Avondale Seventh Day Adventist High School, Cooranbong
Christadelphian Heritage College, Cooranbong
Fern Valley Montessori Primary School, Cardiff
Holy Cross Primary School, Glendale
Lake Macquarie Christian College, Fassifern
Macquarie College, Wallsend
St Benedict’s Primary School, Edgeworth
St John of God - Kendall Grange Limited, Kendall Grange Via Morisset
St John Vianney Primary School, Morisset
St Joseph’s Primary School, Kilaben Bay Toronto
St Kevin’s Primary School, Cardiff
St Mary’s Primary School, Warners Bay
St Paul’s High School, Booragul
The Newcastle Rudolf Steiner School, Glendale
Toronto Seventh Day Adventist Primary School, Toronto

**Establishment Grants:**
Fern Valley Montessori Primary School, Cardiff
Capital Grants to a Non-Government School:
Lake Macquarie Christian College, Fassifern
Macquarie College, Wallsend
St Paul’s High School, Booragul

**Capital Grants to a Government School:**
Wallsend Public School, Wallsend

**Special Education – Non-government Centre Support Programme:**
1999 and 2000
St John of God Kendall Grange
1 Henry Road, Morisset Park NSW 2264
Jesmond Community Preschool
Janet Street, Jesmond NSW 2299

2002
Orana Community Preschool
10 Bean Street, Wallsend NSW 2287

**Jobs Pathway Programme:**
Penrith Skills for Jobs Ltd trading as JobQuest
Mr Ka Chan
Suite 1A, 826 Hunter Street, Newcastle NSW 2302
(02) 4961 4388

**Science**
Not applicable.

**Vocational Education**

**WELL**
The WELL Programme is administered on a financial year, rather than calendar year basis. The table below lists the four WELL projects funded in the electoral division of Charlton in the 2000-01, 2001-02 financial years. There were no projects in the 1998-1999, 1999-2000 and 2002-2003 financial years.

<table>
<thead>
<tr>
<th>Name of Recipient</th>
<th>Address of Recipient</th>
</tr>
</thead>
<tbody>
<tr>
<td>Pasminco Cockle Creek Smelter Pty Ltd</td>
<td>Main Road</td>
</tr>
<tr>
<td>Anglican Care</td>
<td>Toronto Road</td>
</tr>
<tr>
<td>Yamuloong Group Initiatives Ltd</td>
<td>71 Prospect Road</td>
</tr>
<tr>
<td>Anglican Care</td>
<td>GARDEN SUBURB NSW 2289</td>
</tr>
<tr>
<td></td>
<td>BORRAGUL NSW 2284</td>
</tr>
</tbody>
</table>

**QUESTIONS ON NOTICE**
The LLNP Programme is administered on a financial year, rather than a calendar year basis. The table below lists the organisations contracted to provide services in the electoral division of Charlton in the 1999-00, 2000-01, 2001-02 financial years.

<table>
<thead>
<tr>
<th>Name of Recipient</th>
<th>Address of Recipient</th>
</tr>
</thead>
<tbody>
<tr>
<td>Westlakes Community Training Services</td>
<td>Cnr Carey Street and Brighton Avenue TORONTO NSW 2283</td>
</tr>
<tr>
<td></td>
<td>140 Nelson Street WALLSEND NSW 2285</td>
</tr>
<tr>
<td>TAFE NSW - Hunter Institute of TAFE</td>
<td>Glendale Campus Frederick Street GGLENDALE NSW 2285</td>
</tr>
</tbody>
</table>

No recipients were funded in the electorate of Charlton.

New Apprenticeships Incentives Programme

Refer to Question 4.

**Immigration: Refugees**

(Question No. 1702)

Mr Rudd asked the Minister for Foreign Affairs, upon notice, on 19 March 2003:

1. What are the details of his Departments dealings (including the dates, time, locations, with whom, and content) with the United Nations High Commissioner for Refugees (UNHCR) on the matter of Iraqi refugees arising from a potential conflict with Iraq and did these dealings include any discussion of the number of refugees Australia would accept from Iraq in the event of an outbreak of hostilities?

2. What are the details of his Departments dealings (including the dates, time, locations, with whom, and content) with different UN bodies regarding Australia’s involvement in post-war reconstruction efforts in Iraq?

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

1. In Geneva on 11 March 2003, Ms Amanda Gorely, Counsellor and Deputy Permanent Representative to the UN, accompanied the Hon Laurie Brereton MP on a call on Mr Ekber Menemenioglu, Director of the Regional Bureau for Central Asia, South West Asia, North Africa and the Middle East at UNHCR Headquarters. The call did not include any discussion of Australia accepting refugees if there were outflows following hostilities in Iraq.

2. Mr Nick Warner, First Assistant Secretary of Pacific, Middle East and Africa Division and Mr Scott Dawson, Deputy Director-General of AusAID discussed post-conflict arrangements in Iraq with a number of UN interlocutors during a visit to New York on 5 March 2003. Mr Warner and Mr Dawson met Mr Julian Harston, Director, Asia and Middle East, Office of Operations, Department of Peacekeeping Operations; Mr Benon Sevan, Executive Director, Office of the Iraq Programme; Sir Kieran Prendergast, Under-Secretary-General, Department of Political Affairs; Ms Carol
Bellamy, Executive Director of UNICEF and other UNICEF officials; Ms Carolyn McAskie, Deputy to the Under-Secretary-General and Deputy Emergency Relief Coordinator, UNOCHA; Ms Louise Frechette, Deputy Secretary-General of the UN; and Ms Julia Taft, Head of the Crisis Prevention and Recovery Bureau, UNDP.

H E Mr John Dauth, Ambassador and Permanent Representative, Australian Mission to the United Nations, discussed post-conflict arrangements in Iraq with Sir Kieran Prendergast, Under-Secretary-General for Political Affairs at the UN Secretariat during a meeting on 1 April 2003.

Ms Victoria Owen, Assistant Secretary, Middle East and Africa Branch, spoke to representatives of UNOCHA and the Office of the Iraq Programme in New York on 6 February 2003.

Foreign Affairs: Pakistan

(Question No. 1717)

Mrs Crosio asked the Minister for Foreign Affairs, upon notice, on 24 March 2003:

1) Is the Government aware of any program by Pakistan to produce chemical or biological weapons.

2) Considering Pakistan is not a signatory to the Nuclear Non-Proliferation Treaty (NPT) and has successfully tested nuclear weapons as recently as 1998, is the Government concerned that this technology may, in some way, be obtained by terrorist organisations, in particular, Al-Qaeda.

3) Has the Government sought assurances from the Government of Pakistan that all efforts have been made to ensure that nuclear weapons technology and material is not being traded, either with other states or with terrorist organisations.

4) Is the Government confident that there are no longer any links between the Pakistani intelligence service (ISI) and remnants of the Taliban and Al-Qaeda; if so, what is the basis of this confidence; if not, why not.

5) Is the Government aware of any ongoing trade in nuclear weapons technology and material between Pakistan and the Peoples Democratic Republic of Korea (PDRK); if so, what efforts is the Government taking to end this trade.

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

1) My Department is aware of public comments that Pakistan may be able to support a limited biological warfare research and development effort and has the ability to transition from research and development to chemical agent production. There is no evidence to confirm that Pakistan is producing chemical and biological weapons.

2) The Government considers that the possession of nuclear weapons or nuclear weapon-related materials and technology, whether by a state inside or outside the NPT, carries with it responsibility of the highest order. Australia looks to all such states to implement the most stringent security procedures to cover nuclear and associated materials and technology to ensure they do not fall into the hands of terrorist organisations.

3) The Government has raised this issue with the Government of Pakistan on several occasions and been provided assurances that Pakistan is committed to safeguarding its nuclear assets. The Government of Pakistan has stated publicly that it is not providing nuclear weapons technology or material to foreign states or to terrorist organisations.

4) The Pakistan Government has been at the forefront of the fight against terrorism. The Australian Government particularly welcomes action taken by Pakistan to arrest senior al-Qaeda members, including most recently Khalid Sheikh Mohammad. Pakistan’s support for the US-led coalition’s campaign to oust the Taliban regime in Afghanistan was also crucial to the success of that campaign. The campaign against terrorism, including against al-Qaeda and Taliban remnants, continues in Pakistan as it does in other countries.
The Government is aware of press reports alleging the involvement of Pakistan in the DPRK’s uranium enrichment program. Pakistani officials have denied any involvement in the DPRK nuclear program.

Local Government: Grants
(Question No. 1739)

Ms Vamvakinou asked the Minister for Regional Services, Territories and Local Government, upon notice, on 24 March 2003:

What sums were allocated in local government financial assistance grants in (a) 2001-2002 and (b) 2002-2003 to the (i) City of Hume, (ii) City of Brimbank, (iii) Shire of Nillumbik and (iv) City of Moreland.

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


<table>
<thead>
<tr>
<th>Council Name</th>
<th>2001-2002</th>
<th>2002-2003</th>
</tr>
</thead>
<tbody>
<tr>
<td>City of Hume</td>
<td>$6,840,779</td>
<td>$6,433,376</td>
</tr>
<tr>
<td>City of Brimbank</td>
<td>$9,655,849</td>
<td>$8,940,565</td>
</tr>
<tr>
<td>Shire of Nillumbik</td>
<td>$2,729,882</td>
<td>$3,059,697</td>
</tr>
<tr>
<td>City of Moreland</td>
<td>$7,374,870</td>
<td>$6,792,699</td>
</tr>
</tbody>
</table>

Family and Community Services: Child-care Assistance
(Question No. 1750)

Ms Vamvakinou asked the Minister for Children and Youth Services, upon notice, on 24 March 2003:

(1) On the most recent data, what sum in child care assistance per child per annum was allocated to (a) family, (b) private long and (c) community long day care in (i) Australia, (ii) Victoria, and (iii) the postcode areas of (a) 3036, (b) 3037, (c) 3038, (d) 3043, (e) 3046 (f) 3047, (g) 3048, (h) 3049, (i) 3059, (j) 3060, (k) 3061, (l) 3064, (m) 3427, and (n) 3428.

(2) How many recipients of the Family Tax and Child Care benefit in the electoral division of Calwell received letters of debt notification in relation to overpayment of those benefits in (a) 2001-02 and (b) 2002-03 in the postcode areas of (a) 3036, (b) 3037, (c) 3038, (d) 3043, (e) 3046 (f) 3047, (g) 3048, (h) 3049, (i) 3059, (j) 3060, (k) 3061, (l) 3064, (m) 3427, and (n) 3428.

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

(1)(a) On average, the amount of Child Care Benefit per child for the 2001-2002 financial year for family day care in Australia, Victoria, and for the requested postcode areas is as follows:

<table>
<thead>
<tr>
<th>Location</th>
<th>Child Care Benefit ($) per child</th>
</tr>
</thead>
<tbody>
<tr>
<td>(i) Australia</td>
<td>1395.98</td>
</tr>
<tr>
<td>(ii) Victoria</td>
<td>1297.28</td>
</tr>
<tr>
<td>(iii) Postcodes</td>
<td></td>
</tr>
<tr>
<td>(a) 3036</td>
<td>731.51*</td>
</tr>
<tr>
<td>(b) 3037</td>
<td>1423.31</td>
</tr>
<tr>
<td>Location</td>
<td>Child Care Benefit ($) per child</td>
</tr>
<tr>
<td>----------</td>
<td>----------------------------------</td>
</tr>
<tr>
<td>(c) 3038</td>
<td>1418.36</td>
</tr>
<tr>
<td>(d) 3043</td>
<td>1945.80</td>
</tr>
<tr>
<td>(e) 3046</td>
<td>2109.12</td>
</tr>
<tr>
<td>(f) 3047</td>
<td>2614.80</td>
</tr>
<tr>
<td>(g) 3048</td>
<td>1992.14</td>
</tr>
<tr>
<td>(h) 3049</td>
<td>1238.76*</td>
</tr>
<tr>
<td>(i) 3059</td>
<td>860.12*</td>
</tr>
<tr>
<td>(j) 3060</td>
<td>2101.04*</td>
</tr>
<tr>
<td>(k) 3061</td>
<td>746.31*</td>
</tr>
<tr>
<td>(l) 3064</td>
<td>1414.59</td>
</tr>
<tr>
<td>(m) 3427</td>
<td>1433.23</td>
</tr>
<tr>
<td>(n) 3428</td>
<td>404.66*</td>
</tr>
</tbody>
</table>

* Within these postcodes, the child care benefit per child may be unreliable due to the low count of children using family day care services.

(b) On average the amount of Child Care Benefit per child for the 2001-2002 financial year for private long day care in Australia, Victoria, and for the requested postcode areas is as follows:

<table>
<thead>
<tr>
<th>Location</th>
<th>Child Care Benefit ($) per child</th>
</tr>
</thead>
<tbody>
<tr>
<td>(i) Australia</td>
<td>1661.63</td>
</tr>
<tr>
<td>(ii) Victoria</td>
<td>1718.46</td>
</tr>
<tr>
<td>(iii) Postcodes</td>
<td></td>
</tr>
<tr>
<td>(a) 3036</td>
<td>1743.43</td>
</tr>
<tr>
<td>(b) 3037</td>
<td>1938.83</td>
</tr>
<tr>
<td>(c) 3038</td>
<td>1772.93</td>
</tr>
<tr>
<td>(d) 3043</td>
<td>2176.16</td>
</tr>
<tr>
<td>(e) 3046</td>
<td>2180.12</td>
</tr>
<tr>
<td>(f) 3047</td>
<td>1913.62</td>
</tr>
<tr>
<td>(g) 3048</td>
<td>2408.48</td>
</tr>
<tr>
<td>(h) 3049</td>
<td>1775.06</td>
</tr>
<tr>
<td>(i) 3059</td>
<td>1439.18</td>
</tr>
<tr>
<td>(j) 3060</td>
<td>2101.98</td>
</tr>
<tr>
<td>(k) 3061</td>
<td>1943.50</td>
</tr>
<tr>
<td>(l) 3064</td>
<td>2077.20</td>
</tr>
<tr>
<td>(m) 3427</td>
<td>2331.99*</td>
</tr>
<tr>
<td>(n) 3428</td>
<td>1060.39*</td>
</tr>
</tbody>
</table>

* Within this postcode, the child care benefit per child may be unreliable due to the low count of children using private long day care services.

(c) On average the amount of Child Care Benefit per child for the 2001-2002 financial year for community based long day care in Australia, Victoria, and for the requested postcode areas is as follows:
Location | Child Care Benefit ($) per child
--- | ---
(i) Australia | 1393.85
(ii) Victoria | 1457.55
(iii) Postcodes
(a) 3036 | 1474.67*
(b) 3037 | 1815.65
(c) 3038 | 1411.61
(d) 3043 | 1900.54
(e) 3046 | 2032.27
(f) 3047 | 2199.02
(g) 3048 | 2366.11
(h) 3049 | 1766.29
(i) 3059 | 2230.54
(j) 3060 | 2177.74
(k) 3061 | 2641.21
(l) 3064 | 2170.67
(m) 3427 | 1545.11*
(n) 3428 | 48.29*

* Within these postcodes, the child care benefit per child may be unreliable due to the low count of children using community based long day care services

Note: Based on customer’s place of residence.

Source: Centrelink administrative data – November 2002

(2)(a) In 2001-2002, 4600 Family Tax Benefit customers and 949 Child Care Benefit customers in the electoral division of Calwell incurred an overpayment of those benefits as an outcome of the reconciliation process. A breakdown of the number of debts in the required postcode areas is as follows:

<table>
<thead>
<tr>
<th>Postcode</th>
<th>Family Tax Benefit</th>
<th>Child Care Benefit</th>
</tr>
</thead>
<tbody>
<tr>
<td>(a) 3036</td>
<td>78</td>
<td>Less than 20</td>
</tr>
<tr>
<td>(b) 3037</td>
<td>871</td>
<td>247</td>
</tr>
<tr>
<td>(c) 3038</td>
<td>765</td>
<td>173</td>
</tr>
<tr>
<td>(d) 3043</td>
<td>439</td>
<td>89</td>
</tr>
<tr>
<td>(e) 3046</td>
<td>677</td>
<td>121</td>
</tr>
<tr>
<td>(f) 3047</td>
<td>549</td>
<td>49</td>
</tr>
<tr>
<td>(g) 3048</td>
<td>703</td>
<td>93</td>
</tr>
<tr>
<td>(h) 3049</td>
<td>251</td>
<td>64</td>
</tr>
<tr>
<td>(i) 3059</td>
<td>203</td>
<td>30</td>
</tr>
<tr>
<td>(j) 3060</td>
<td>279</td>
<td>35</td>
</tr>
<tr>
<td>(k) 3061</td>
<td>113</td>
<td>Less than 20</td>
</tr>
<tr>
<td>(l) 3064</td>
<td>1082</td>
<td>345</td>
</tr>
<tr>
<td>(m) 3427</td>
<td>52</td>
<td>Less than 20</td>
</tr>
</tbody>
</table>
Postcode | Family Tax Benefit | Child Care Benefit
---|---|---
(n) 3428 | Less than 20 | Less than 20

Source: Centrelink administrative data – March 2003.

Note: Privacy requirements prohibit release of customer numbers less than twenty by postcode.

(b) The 2002-2003 reconciliation process will not commence until 1 July 2003, therefore it is not possible to provide information about overpayments until after that date.

**Ministerial Correspondence**

**Ms Jackson** asked the Prime Minister, upon notice, on 25 March 2003:

(1) What guidelines has he put in place in respect of acceptable timeframes for his Ministers to respond to correspondence to their Ministerial Offices.

(2) Is he aware that: (a) a letter I wrote to the Minister for Family and Community Services on behalf of a constituent on 25 January 2002 did not receive a response until 27 September 2002, and (b) a letter I wrote to the Treasurer on 25 November 2002 did not receive a response until 3 March 2003.

(3) Are the respective timeframes of 8 months and 3½ months unacceptable lengths of time for Ministers to respond to correspondence; if not, why not.

(4) Do these response times conflict with his Code of Conduct for Ministers; if not, why not.

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

(1) to (4) I am not aware of the specific issues raised by the Member for Hasluck. The Guide on Key Elements of Ministerial Responsibility provides broad guidance for ministers on handling ministerial correspondence. I expect ministers to determine appropriate procedures for their offices and departments to respond to correspondence.

**Environment: Endangered Species**

**Mr Causley** asked the Minister for the Environment and Heritage, upon notice, on 26 March 2003:

(1) Is the Endangered Species Unit applying the Federal precautionary principle to the exotic and toxic camphor laurel tree; if not, why not.

(2) Is he aware that the introduced tree is invasive in five states and there is increasing evidence of its toxicity to native birds and animals.

**Dr Kemp**—The answer to the honourable member’s question is as follows:

(1) Yes.

(2) There is considerable debate over the severity and extent of the impact of Camphor Laurel’s toxicity on native wildlife. In regard to this matter I have received a public nomination to list “Cinnamomum camphora, Camphor Laurel most toxic chemotypes” as a Key Threatening Process under the Environment Protection and Biodiversity Conservation Act 1999. I have forwarded this nomination to the Threatened Species Scientific Committee for advice.

I expect to receive the Committee’s advice shortly, at which time I will be making a decision on whether or not the nominated process qualifies for listing as a Key Threatening Process under the Environment Protection and Biodiversity Conservation Act 1999.

My decision will be advertised on the following Environment Australia website:
Mr Danby asked the Minister representing the Minister for Communications, Information Technology and the Arts, upon notice, on 26 March 2003:

1. Is the Minister aware of the move of the majority of the ABC Television studios in Melbourne from Ripponlea to Southbank.

2. Is the Minister aware of residents’ concerns about the future of the land at Ripponlea, and that the unclear status has led to fear, insecurity and great speculation.

3. What is the history of the ownership and use of the land.

4. In respect of the decision on the future of the land at Ripponlea: (a) who is responsible for making the decision, (b) when will it be made, (c) what will be the process for making this decision, (d) what factors will be taken into account, and (e) will the public have an opportunity to comment during the process.

5. Can the Minister assure residents that the land will: (a) not become housing estates, and (b) will be returned to the public.

6. Is the Minister aware that the closest public park in the area is over a kilometre away, out of walking distance of most of the elderly and younger residents.

7. Is the Minister aware that a small piece of former Crown land in the area on the corner of Dorgan Street and Kooyong Road was recently returned to the public as a Memorial Park; if so, is the Minister able to say whether that decision is a useful precedent in respect of the land at Ripponlea.

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

1. The ABC has advised the Minister for Communications, Information Technology and the Arts that it intends to continue to use its site at 8 Gordon Street, Elsternwick, as a major television production facility for drama, comedy, arts and features for at least the next 4 to 5 years. The ABC moved its News and Current Affairs television studios from Gordon Street to Southbank in September 2001. The ABC does have plans to relocate all television production to Southbank in the future. Any final decision to move would be made by the ABC Board and the project would need a formal hearing and approval from the Joint Standing Committee on Public Works.

2. The Minister has received no correspondence on this matter.

3. The ABC has occupied the Gordon Street site since 1956 following the compulsory acquisition of part of the Rippon Lea estate by the Commonwealth. In 1991, ownership of the site was transferred from the Commonwealth to the ABC, in a delayed acknowledgment of the ABC’s transition from “Commission” to Corporation. This was done on the same basis as other properties that were transferred in 1983, that is, with the only condition being that the ABC pay costs associated with the transfer.

4. The ABC has advised that:
   (a) The ABC is responsible for making the decision, within the appropriate Commonwealth, State and local government regulatory requirements. The Australian Broadcasting Corporation Act 1983 guarantees the editorial and operational independence of the Corporation from the Government.
   (b) The ABC does not currently have a firm timetable for this decision. See answer to part (1).
   (c) The ABC Board would make a final decision on any relocation time frame. See answer to part (1). As any proposed move would require major new capital works at Southbank, the ABC would
also require a formal Joint Standing Committee on Public Works hearing and approval before proceeding.

(d) The ABC Board’s statutory duties include a duty to ensure the functions of the Corporation are performed efficiently. The main factors to be taken into account by the ABC in its decision making will be the efficiencies of collocating the ABC operations on one site and the overall cost benefit to the Corporation.

(e) The public would have the consultation opportunities arising from the relevant regulatory requirements associated with any proposed change of land use. As part of consideration by the Joint Standing Committee on Public Works, any new works proposed at Southbank would be also publicly advertised by the Joint Standing Committee and submissions would be sought.

(5) As indicated in part (4)(a), the ABC is responsible for decisions on the future of land at Ripponlea, within the appropriate Commonwealth, State and local government regulatory requirements. The ABC advises that no decision has been made on the timing or future use of the land.

(6) The Minister has received no correspondence on this matter.

(7) No.

Iraq

(Question Nos 1774, 1775, 1776, 1777)

Mr Murphy asked the Minister representing the Minister for Defence, upon notice, on 27 March 2003:

(1) Is the Minister aware that some media organisations have shown images of prisoners of war in the course of covering the war in Iraq.

(2) Is it the case that Article 13 of the Geneva Convention III states that prisoners of war must at all times be “protected, particularly against acts of violence or intimidation and against insults and public curiosity”.

(3) Is it also the case that Article 27 of the Geneva Convention IV has the same provisions for civilian prisoners and includes restrictions of photographing and filming military and civilian prisoners of war.

(4) Has the Minister provided any advice or direction to public or private media organisations regarding Article 13 of the Geneva Convention III or Article 27 of Geneva Convention IV; if so; what was that advice; if not, why not.

(5) Can the Minister guarantee that Coalition forces will treat all captives humanely and in compliance with the laws governing armed conflict; if not, why not.

Mrs Vale—The Minister for Defence has provided the following answer to the honourable member’s question:

(1) Yes.

(2) Yes.

(3) In relation to civilians, Article 27 can be interpreted in the manner suggested in the question.

(4) The broadcasting of images of the conflict is at the discretion of media outlets. The Department of Defence has requested public and private media outlets to remain cognisant of the terms of Geneva Conventions and to conceal the identity of prisoners of war from both sides of the conflict.

(5) The Coalition force continues to treat prisoners of war humanely. Australia is a party to the Geneva Conventions and strongly supports them. The Australian Defence Force elements in Iraq operate under Australian national command and according to Australian rules of engagement which mandate compliance with the laws of armed conflict to which Australia is bound.
Iraq
(Question Nos 1778, 1779, 1780, 1781)

Mr Murphy asked the Minister representing the Minister for Defence, upon notice, on 27 March 2003:

(1) Can the Minister confirm whether any of the weapons fired or missiles launched by the coalition forces in the war on Iraq contain depleted uranium; if so, what are the details; if not, why not.

(2) Is the Minister aware that depleted uranium is a radioactive and toxic element and that exposure to it can, amongst other things, cause lung cancer, damage the liver and kidneys, affect bone marrow and destroy stem cells that form white cells resulting in mutations and genetic damage.

(3) Is the Minister aware of the threat to the environment of depleted uranium; if not, why not.

(4) Is the Minister aware of Article 35 of the Geneva Protocols that prohibit the use of weapons that cause and inflict unnecessary injury and suffering; if not, why not.

(5) What is the Minister doing to ensure that weapons and missiles currently being used by the coalition forces in the war on Iraq do not contain depleted uranium.

Mrs Vale—The Minister for Defence has provided the following answer to the honourable member’s question:

(1) Yes, the United States (US) and the United Kingdom (UK) stated publicly at the outset of the military conflict that munitions containing depleted uranium (DU) would be used. The decision to utilise DU munitions in the course of military operations is a matter for US and UK military planners. Accordingly, advice concerning details of where such munitions may have been used are best addressed by the US and UK governments.

The Australian Defence Force (ADF) has not used ammunition containing DU since mid-1990.

(2) There is no evidence to indicate that ammunition containing DU poses an adverse health risk. In August 2001, a report prepared by the Expert Committee to Examine Balkan Veteran Exposure to Depleted Uranium on behalf of the then-Minister of Veterans’ Affairs titled, Review of Scientific Literature on the Health Effects of Exposure to Depleted Uranium, concluded that on the basis of sound medical-scientific evidence and under realistic assumptions of exposure and dose, DU could not produce any health effects in Australian troops serving with North Atlantic Treaty Organisation forces in the Balkans conflict.

The Defence Health Service subsequently revised its health bulletin regarding DU health screening policy in December 2001. On the basis of the expert committee’s independent review of relevant evidence on this subject, the Defence Health Service agreed that DU posed no adverse risk of health effects for ADF personnel performing duties that would potentially lead to DU exposure, and determined that the ADF policy no longer required health screening for DU exposure.

(3) The chemical and radiological environmental hazards from depleted uranium, whether in solid, aerosol or other form, are negligibly low. In a finely divided state, depleted uranium still represents a negligible environmental hazard. Recent reports from the World Health Organisation and the UN Environment Program on the possible effects of DU used in Kosovo indicate that there is no credible evidence of significant health or environmental impact.

(4) Yes.

(5) On the basis that DU presents no credible environmental or health threat, there is no need to make such representations.
Royal Commission into the Building and Construction Industry  
(Question No. 1785)

Mr Murphy asked the Treasurer, upon notice, on 27 March 2003:
(2) Will he reform Australia’s taxation laws to stamp out the abuse of phoenix companies; if not, why not.
(3) Will he legislate to provide more severe penalties for the directors of phoenix companies who engage in this serial criminal behaviour; if not, why not.

Mr Costello—The answer to the honourable member’s question is as follows:
(1) The Government has accepted, in principle, the Royal Commission’s key recommendations including a separate act governing workplace relations in the construction industry, a new law enforcement agency for the industry, a Safety Commissioner to monitor federally-funded construction sites and the application of the National Construction Code to significant new projects which are fully or partly federally funded.
(2) The Royal Commission also noted the significant efforts by Federal Government agencies to investigate and prevent fraudulent phoenix company activity. As part of its consideration of the report, the Government will consider the recommendations of the Royal Commission that seek to strengthen government actions to detect and eliminate fraudulent phoenix company activity.
(3) Further announcements on Government decisions in response to the Royal Commission report will be made in the coming months.

Royal Commission into the Building and Construction Industry  
(Question No. 1789)

Mr Murphy asked the Minister for Employment and Workplace Relations, upon notice, on 27 March 2003.
(2) Will he reform Australia’s Workplace Relations laws to protect workers’ legitimate entitlements from the criminal behaviour of the directors of ‘phoenix companies’; if so, when; if not, why not.

Mr Abbott—The answer to the honourable member’s question is as follows:
(1) I have been briefed on the contents of Discussion Paper 11 from the Royal Commission ‘Working Arrangements – Their Effects on Workers’ Entitlements and Public Revenue’ and I have considered the issues raised in the paper carefully.
(2) The Government is considering its detailed response to the Final Report of the Royal Commission into the Building and Construction Industry. The Government considers that the Final Report represents the most comprehensive national report into the industry ever produced in Australia and is treating its recommendations, including those regarding the issue of workers’ entitlements and ‘phoenix companies’ with the utmost seriousness. Given the Final Report’s importance the Government has decided to support the key recommendations of the Royal Commission and I announced on 2 April 2003 that the Government has agreed immediately to:
(a) create a separate act governing workplace relations in the construction industry;
(b) establish a new law enforcement agency for the industry;
(c) establish a Safety Commissioner to monitor federally-funded construction sites; and
(d) insist on application of the National Construction Code and implementation guidelines to all
significant new projects which are fully or partly federally funded.

**Australian Electoral Commission**

*(Question No. 1792)*

**Ms Hall** asked the Minister representing the Special Minister of State, upon notice, on 27
March 2003:

1. Is there a plan to restructure the Australian Electoral Commission (AEC) and does this restructure
   involve an amalgamation of offices as opposed to a co-location of Divisional AEC offices.

2. If there is to be an amalgamation of offices will this amalgamation; (a) result in (i) a reduction of
   staff, or (ii) in a reclassification of staff positions, and (b) affect offices in the Hunter and on the
   Central Coast of New South Wales.

**Mr Abbott**—The answer to the honourable member’s question, as provided to me by the
Australian Electoral Commission, is as follows:

1. The Electoral Commissioner has stated that he is not considering undertaking a major restructure
   of divisional offices before the next federal election. Currently, the AEC is seeking to achieve ef-
   ficiencies through rationalising its leasing and property arrangements. This is a ongoing process
   where leases are reconsidered as they come up for renewal and has been part of AEC’s business
   planning for some time. These reviews may or may not result in offices being relocated. Where it
   is decided to relocate, offices may be (1) relocated to new premises within the existing electorate
   (2) collocated with another AEC office, or (3) amalgamated with other AEC offices.

   It should be noted that, in many cases the amalgamation of divisional offices, (that is where func-
   tions are integrated) will not necessarily result in a change in location. The following amalgama-
   tions are being considered this calendar year.

   **NSW : Bennelong, Bradfield & North Sydney** – these offices are currently collocated at Chatswood
   and will remain in Chatswood. Berowra may also be moved to the Chatwood premises later in the
   year.

   **VIC : Casey, Menzies, Deakin and Chisholm** – these offices are currently collocated in Ringwood
   and there are currently no plans to relocate.

   **QLD :** *Oxley and Blair* – these offices are currently collocated in Ipswich and will remain in Ips-
   wich.

   *Moncrieff and McPherson* – these offices are currently collocated in Southport and will remain
   in Southport.

   **SA : Sturt and Adelaide with AEC’s Head Office – Adelaide** and the AEC’s Head Office are cur-
   rently collocated. Sturt will be relocated to join those two offices in King William St, Adelaide.

   **WA : Pearce and Hasluck** – these offices are currently collocated in Midland and will remain in
   Midland.

   **TAS : Franklin and Dennison** - currently collocated on the 1st Floor at 86 Collins Street, Hobart.
   At the end of April 2003 it is planned to amalgamate them with AEC’s Head Office on the 2nd
   Floor of the current premises, 86 Collins Street, Hobart.

   *these changes will be subject to redistribution outcomes.

2. The amalgamations listed above will involve some integration of functions resulting in realloca-
   tions of duties and a change in lines of reporting. The AEC is currently examining design options
tailored to meet local requirements and until this exercise is completed will be unable to provide a
definitive answer to whether there will be (a) a reduction in staff numbers, or (b) any reclassifica-
tion of staff positions, although some change is anticipated.
The AEC is exploring possible sites for the progressive collocation of five divisions in the Hunter region in line with its strategic property plan. The actual combination of offices is still under review and suitable accommodation and possible locations have not been established. There is no current proposal to collocate offices on the Central Coast of NSW.

**Australian Electoral Commission**

*(Question No. 1793)*

Ms Hall asked the Minister representing the Special Minister of State, upon notice, on 27 March 2003:

(1) How many Divisional returning Officer (DRO) positions; (a) are currently vacant, and (b) have people acting in the position of DRO.

(2) How many DRO positions does the AEC expect will become vacant over the next 12 months due to retirements and where are these DRO positions located.

(3) What, if any, are the implications for the Divisional AEC offices in the Hunter and on the Central Coast of NSW.

Mr Abbott—The answer to the honourable member’s question, as provided to me by the Australian Electoral Commission, is as follows:

(1) (a) As at 27 March 2003, 22 DRO positions were not filled on a permanent basis, and (b) all 22 vacant Divisional Returning Officer positions have people appointed as DROs on a temporary basis.

(2) The AEC is unable to provide information on the number of DRO positions that may fall vacant during the next 12 months. According to Australian Public Service wide workforce statistics, it was expected that a significant number of Public Service employees belonging to the Commonwealth Superannuation Scheme (CSS) would opt to retire prior to reaching age 55. This conclusion was based on the assumption that a design feature in the scheme, which resulted in long time senior officers benefiting in monetary terms if they retired at age 54/11, would take effect. To date this has not been the experience of the AEC, who have a number of staff over age 55 continuing to work.

(3) To ensure continuity of service throughout the AEC in the event of staff separations due to transfers, promotions, retirements or resignations there is an active program for succession planning through staff development and other initiatives. The AEC has attracted significant interest from quality applicants when it has advertised vacant positions.

**National Roads and Motorists Association: Annual General Meeting**

*(Question No. 1877)*

Mr Andren asked the Prime Minister, upon notice, on 14 May 2003:

(1) Is Mr Anthony Roberts MP, NSW State Member for Lane Cove: (a) the same Mr Anthony Roberts who attended the 2002 NRMA Annual General Meeting on 14 January 2003 to express his support for the proposal to remove the Board and appoint Mr Ross Turnbull and his team of candidates, and (b) the same Mr Anthony Roberts who worked in the electoral office of the Hon John Howard MP, Prime Minister and Member for Bennelong, prior to the NSW State election on 22 March 2003; if so, was his attendance at that meeting in any way paid for by Australian Taxpayers.

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

(a) Yes.

(b) Yes; no.